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Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Wednesday 6 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le mercredi 6 juin 1990



Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers



Languages in Hansard

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Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 6 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

NORTHERN ONTARIO PASSENGER RAIL SERVICE

Mr Laughren: New Democrats are fighting for improved passenger rail service in northern Ontario. It is time this government stopped passing the buck and acted to ensure that efficient, reliable passenger train service is available to northern Ontario citizens.

Last week's scheduled change in Via Rail's Dayliner service between Sudbury and White River, the Budd car, serves to underline the federal government's neglect of this vital service. Seasonal property owners in the Sudbury basin will no longer be able to travel to and from their camps over the weekend. Many tourist operators were not even informed of the scheduled change in advance, leaving them scrambling to make alternative arrangements so that guests would not be stranded.

The Minister of Northern Development and the Minister of Transportation know that the Ontario Northland Transportation Commission is fully capable of delivering a dependable, responsive passenger rail service. In the past, they have suggested that I contact the federal minister to discuss a transfer. I suggest that they direct ONTC to contact the appropriate agencies and begin negotiations immediately to take over passenger service on the CP Rail line between Sudbury and White River. Indeed, they should consider extending service from North Bay through Sudbury right to Thunder Bay. This would give the north a transportation alternative as well as encouraging tourism.

Passenger trains are a lifeline to many communities in the north. We should not leave these communities to the mercy of the federal government and its Via Rail cronies. This government should act now to ensure that northern Ontario has a rail service that we can depend on.

SMALL BUSINESS

Mr Sterling: Today I received a copy of a brochure of assistance to small business in Ontario from the member for Oakville South, the advocate for the government for small business. I was amused to see that there are no less than 27 programs outlined in this document as giving help to small business.

A small business in my riding, a high-tech business, did \$9,000 worth of work for the Ministry of Transportation. They went to the bank to borrow against this receivable. The bank normally gives 70% credit against a receivable of a customer. The Canadian Imperial Bank of Commerce and the Royal Bank will only give 30% against a receivable from the Ontario government.

Why is that? Because the Ontario government takes 10 to 12 weeks to pay its bills. This government, by its own business practice, is forcing business to borrow at high interest rates, partly caused by its spending practices, and not giving the businessman a fair shake in borrowing against a receivable.

I wish this government would cut out the smoke and mirrors, the flim-flam with regard to these so-called programs for small business, and just pay its bills on time.

INTERGOVERNMENTAL CO-OPERATION

Mr Adams: I do not believe in a hierarchy of government in Canada with the feds at the top and the municipalities at the bottom. Rather, I believe in three important, competent levels of government, all working together in the national, international and global interest.

That is why I am glad when the province takes an initiative, such as the banning of CFC-producing products, a step which has truly global implications. That is why I was proud when the province, in the national and international interest, reached out to twin with the province of Jiangsu in China and organized trade and business missions to Italy and other countries.

That is why I was proud when the city of Peterborough, out of global concern, established its own roundtable on sustainable development. I am proud too that Fleming College reaches out beyond Canada to twin with Chuo College in Japan, that our local university, Trent, attracts more than 50 nationalities and that our community's Jamaica self-help project reaches out to a developing country.

I am proud too of the special links which Peterborough has developed with Grodno in the USSR.

No government should feel it is locked in to a particular level. Let's continue to think nationally and globally while acting locally. At this time, in particular, let's continue to support the Premier in working for a better and stronger Canada through the Meech Lake negotiations.

WORKERS' COMPENSATION BOARD

Miss Martel: Over the last number of weeks, I have tried to demonstrate that, despite all of the changes at the Workers' Compensation Board, the quality of service to workers has not improved. In particular, I raised the matter of the new telephone system and stated how frustrating it is for workers and representatives alike to deal with an answering machine. I have received more complaints in this regard and I would like to raise them today.

In Welland, the Niagara District Injured Workers office is open only on Tuesdays. If Don Comi and his staff cannot get through to the board that day, messages must be left on the machines. Several weeks ago, when he got tired of not having his calls returned, Don phoned the chairman's office to complain. He was told that if the problem continued, he should contact Gerry Potter or Chris Hornberger at the WCB office in Hamilton. The problem did continue and when he called Hamilton to talk to these contact people, the switchboard operator refused to give him the number or transfer his calls to Ms Hornberger or Mr Potter. So much for the influence of the chairman.

In Owen Sound, Doug Brown of Steelworkers Local 7466 has the following problem. Many local union representatives who are handling compensation have limited access to a telephone at work. They have to speak to a WCB employee the first time they call, if they want to get a problem resolved. But as reps continue to reach answering machines and not human

beings, the board has become even more inaccessible than before.

There must be a better way for the WCB to communicate with injured workers and their representatives.

ASSISTANCE TO FARMERS

Mr Villeneuve: Last week, the federal and Ontario governments signed an agreement on assistance to producers of grain and oil seeds. At the same time, the provincial minister expressed hope that financial assistance cheques would be out by late summer or early fall, coincidentally about the same time as there will be an election campaign here in Ontario.

That is not good enough. Ontario farmers are paying huge interest rates on loans from banks or to suppliers at present. By September or October, their financial situation will be considerably worse. The minister must get the money to them now and stop worrying about making the banks happy.

At the same time, we have a problem in other areas. In addition to grains and oil seeds, the federal government has allocated \$40 million to assist other sectors such as horticultural crops and fur. Our apple producers, for example, in the south Georgian Bay district, have suffered severe drought losses in previous years and have yet to receive any form of financial assistance.

In April the ministry received the final report, Recommendations of the Farm Tax Rebate Program Review Committee. The minister did not even want to make that report public because it proves the Treasurer was wrong to cut the program. Here again, the producers are waiting for new rules in midyear. Nothing has happened. We are playing politics. It is about time Ontario farmers got some action and not only lipservice from this government.

1340

INDUSTRIAL TRAINING

Mr D. W. Smith: The Lambton Industrial Training Committee is an organization committed to helping Lambton county workers upgrade their skills or explore new skills. This committee is part of the Ontario network of community industrial training committees and is sponsored by the Ministry of Skills Development.

On the evening of 25 May 1990, I had the pleasure of attending a graduation ceremony to honour 34 students who had completed a course in automotive upgrading. In our ever-changing society, I am sure this training will help auto mechanics become familiar with the theories and practice of automotive electronics. The excellent instructor, Ron Brown, certainly made the 10-month course enjoyable as well as informative for the participants. As a result of its success, this program will be offered again in the 1990-91 year.

The Lambton Industrial Training Committee is composed of dedicated volunteers, including representation from large and small employers. This group of individuals identifies what skills are needed by Lambton employers and co-operates with the federal and provincial governments, educational bodies and employers to arrange for the sponsorship of programs to meet those needs.

A strong, competitive economy is reliant on a skilled workforce. Training planned by the Lambton industrial training committee will prepare our workforce for the challenges ahead. Graduates of these training programs can take pride in their accomplishments.

NIPISSING AREA TEACHERS

Mr D. S. Cooke: The Ontario Teachers' Federation has advised all Ontario teachers not to accept employment with the Nipissing Board of Education, the Nipissing District Roman Catholic Separate School Board or the Department of National Defence schools. Any teacher accepting employment with one of these boards will be in violation of clause 18(1)(c) of the regulations made under the Teaching Profession Act and in breach of the federation's code of ethics.

This employment boycott has come about because of the failure of the Department of National Defence, the North Bay CFB Board of Education, the Nipissing Board of Education and the Nipissing District Roman Catholic Separate School Board to reach an agreement satisfactory to all parties regarding the divestment of the DND North Bay school, its students and its teachers. Similar divestments of Canadian Forces bases in Ottawa and Kingston were successfully negotiated with the assistance of a mediator appointed by the then Minister of Education, the member for Wentworth North.

Despite an urgent letter from the Ontario Teachers' Federation requesting mediation and ministerial intervention, the present minister has taken no action. The Ontario Teachers' Federation has not yet had a reply to its letter of 24 April. The jobs of the teachers and the Canadian Forces base North Bay school are at stake. As a result of the minister's failure to act, education in the entire North Bay area is now in jeopardy. We encourage the minister to do his duty and get involved in this dispute immediately.

ONTARIO LOTTERY CORP

Mr McLean: My statement is for the Minister of Tourism and Recreation. It concerns the recent announcement that the Ontario Lottery Corp will begin negotiations with five Toronto advertising agencies to form a so-called advertising and advertising-related services creative pool for Lotto 6/49, Encore and Provincial and special-event games.

The Ontario Lottery Corp president is quoted as saying: "We have established the resource pool to develop a broad base of creative and communication support services. The corporation can then match the appropriate service with the most suitable assignment." This sounds like another example of the minister and his government developing another in a long list of make-work projects. The minister is paying five advertising agencies to do the work that could be handled by one. This is certainly not a government that has serious concerns about efficiency or sound economics.

I recently noted that the minister had advertised for a co-ordinator for government liaison to do his work and to run interference for him. Now he is negotiating to have five advertising agencies to do the work of one. Do members not think the lottery profits are undoubtedly being wasted on these projects and could be better spent on what they were originally intended for, the promotion and development of physical fitness, sports, recreation and cultural activities and hospitals and, if Bill 114 passes, the environment?

ED GRIMSHAW

Mr Ballinger: I am very pleased today to pay tribute to Ed Grimshaw, a resident of Stouffville in my riding of Durham-York. Ed Grimshaw will be inducted as the new president of the Ontario Minor Hockey Association at its 57th annual meeting to be held in Toronto on 23 June, certainly a great achievement for a homegrown Stouffville boy.

The Ontario Minor Hockey Association is the world's largest minor hockey organization and covers all of southern Ontario, excluding Metropolitan Toronto. More than 80,000 boys who play hockey are governed by this important body that Ed will now head up.

Ed Grimshaw is no stranger to minor hockey in Ontario. For 25 years he has been the anchor on the executive of the Stouffville Minor Hockey Association as a volunteer.

During his 25-year involvement, Stouffville minor hockey produced its share of Ontario championship teams and on three occasions sent local teams to Europe on hockey exchanges and hosted many of its own tournaments over those years.

Keith Acton of the Philadelphia Flyers learned most of his professional hockey skills while playing in the Stouffville Minor Hockey Association.

Ed Grimshaw will bring a wealth of experience to Ontario's minor hockey system and the more than 80,000 boys registered will be better served with his selection as president.

I want to convey my personal congratulations to Ed and wish him the very best for the upcoming term as president of the OMHA.

STATEMENT BY THE MINISTRY

HEALTH PROFESSIONS

Hon Mrs Caplan: Later this afternoon, I will be introducing the Health Professions Regulation Act, 1990, and 21 health profession acts for first reading.

The purpose of this legislative package is to provide maximum protection to the public in the provision of health services and to create an environment in which the health professions can work together as co-operatively and effectively as possible.

The review of Ontario's health professions legislation has been one of the most extensive and detailed consultations ever undertaken in this province.

Beginning in 1982 the review team, under the direction of Alan Schwartz, was given a mandate to examine the existing health professions legislation in this province and to survey regulatory legislation in other jurisdictions to see what concepts, if any, might be applied to Ontario. The review team also consulted directly with the health professions organizations of this province and sought the views and opinions of Ontario consumer representatives and associations.

I am very pleased that Mr Schwartz is able to join us today and, at this time, I would like to recognize the contribution he has made over the past eight years which has led to the development of this legislative package.

The health professions legislation review was created at a time when there was a recognized need for change to the existing legislation. People were asking for a more open investigative and disciplinary process within the governing bodies. There were large numbers of new or emerging health professionals who were practising in Ontario but who were not recognized in the province's dated health professions legislation. Our existing patchwork of legislation, with eight different acts regulating 19 professions, made co-ordinated policy direction in health difficult. And, perhaps most important, it was recognized that in the existing legislation there was no means to ensure the continuing competence of professionals or to promote quality assurance in health care.

During the course of the review, the review team received several hundred briefs from professional associations and consumer and public interest groups from across the province. Each

submission was analysed, circulated and recirculated to ensure a full and complete discussion of all the interested stakeholders.

Once this unique, albeit lengthy, consultative process had been completed, the review team submitted its recommendations in the form of draft legislation, and I in turn tabled those recommendations in this House on 26 January 1989. Since then, I have met with every major professional group directly affected by the recommendations and with many groups which, while not directly affected, have a stake in how health professions legislation is framed.

To date, there have been more than 350 meetings between ministry officials, individuals and groups since January 1989. These meetings were very productive and I am extremely pleased with the channels of communication which have opened between the health professions and the government as a result of this process. We have achieved a consensus among stakeholders that I consider remarkable, given the complexity of the issues under discussion. The vast majority of groups believe it is time to proceed with new regulatory legislation.

1350

As a result of our discussions, we have made a number of revisions to the original recommendations, changes that make the purpose and intent of this legislation clearer, such as in the area of quality assurance and health care. Further amendment and revisions will be considered during the legislative process in an open public forum.

As I mentioned earlier, the primary goal of this legislation is to better serve and protect the public interest. Secondly, it will help create an environment in which health professions can work together as co-operatively and effectively as possible.

Let me highlight some aspects of the legislation I am introducing today.

Under the Health Professions Regulation Act 1990, 24 health professions will be regulated in Ontario rather than the current 19. The Health Professions Regulation Act consists of one omnibus bill, a procedural code that pertains to all professions, and then there are 21 separate acts which describe the specific scope of practice of each profession and the controlled acts which each profession will be legally entitled to perform.

This is vastly different from the current legislation where broad scopes of practice are given to certain professions and restricted to those professions. These exclusive licences have created inequalities among many health professionals. They have also created obstacles to professionals performing to the full extent of their capabilities and competence. This in turn has caused inflexibility and rigidity in the provision of care, affecting the choices available to health consumers, the options available to health professionals and the cost of making health services available.

As the bills move through the legislative process, I would urge the members to focus on the underlying principles and intent of the legislation. I will be requesting that this legislation be referred to the legislative committee process for public hearings. This government is committed to listening to the views of all those affected by this new legislation, and during the committee process we will work together with all stakeholders to resolve outstanding issues and concerns.

There are some, including clergy and social workers, who have expressed reservations, not about the intent of the legislation but rather the wording of certain clauses. Concerns were raised in particular about subsection 27(4), the so-called basket clause, which would make it an offence for an unregulated

practitioner to provide treatment or advice in circumstances in which harm may result.

It is not the policy nor the intention of this government to impede social workers, clergy or others from carrying out their important work. I will repeat that: It is not the policy nor the intention of this government to impede social workers, clergy or others from carrying out their important work. I have therefore removed subsection 27(4) from the legislation being introduced today. It is my intention to introduce wording for a new clause during the committee stage. I will also invite suggestions from interested parties on new wording in order to achieve our objective.

Further, following discussions with the Minister without Portfolio responsible for disabled persons and the Minister of Community and Social Services, we have agreed that an appropriate exemption will be created through regulation removing the activities of personal care attendants from the controlled acts. This exemption will ensure that the new regulatory framework presents no barrier that will interfere with the ability of disabled persons to obtain appropriate assistance with the routine activities of daily living.

As well, I want to be certain that naturopaths have every opportunity to satisfy the criteria for self-regulation. Therefore, I am pleased to announce today that naturopathy will not be deregulated at this time. It will continue to be regulated under the Drugless Practitioners Act until such time as the issue can be referred to the new Health Professions Regulatory Advisory Council. The council, which will be established under this new legislation, will then determine if the profession should be self-regulated under this legislation.

The creation of this council will be a significant step forward in advising the minister on developing issues pertaining to the self-governance and self-regulation of health professions.

It is my intention to create an interim Health Professions Regulatory Advisory Council under the Ministry of Health Act once this legislation has passed third reading and prior to proclamation. Its mandate will be to help smooth the transition from the old system to the new.

Because many of the concepts used in this legislation are highly innovative and break new ground in the area of professional self-regulation, the Health Professions Regulatory Advisory Council will also participate in a thorough review of this legislation five years after enactment.

An enormous amount of hard work, dedication and commitment has gone into the health professions legislation review and the drafting of this legislation. As minister, I want to thank the members of the review team, consumer groups and members of my ministry staff for their diligent efforts on behalf of Ontario health care.

In particular, I want to thank the health professions who set aside their own self-interests for the greater public benefit. I want to recognize publicly the great amount of time, effort and expertise they have given to the development of this legislation. Many of the members of the health professions are here with us today, and I would like to take this opportunity to offer them my heartfelt thanks.

Let me say that as we begin the legislative process, I am committed to maintaining the spirit of co-operation and partnership that has already brought us so far.

These are extremely complex issues we are dealing with. As we move forward, I will be looking for the continued participation and involvement of the health professions, consumer groups and others to help us with refining these bills to the very best of our ability.

For my part, I will do everything in my power to ensure that we do achieve our goal and develop a legislative package that will meet the health needs of the people of this province and the practice needs of our health professionals.

I am convinced that with this kind of co-operation and partnership, the result will be legislation that will make Ontario a front runner in the development of health professions legislation, not only for today's regulated professions but also for those of the future.

The Speaker: Are there any other ministerial statements? If not, responses.

Interjections.

The Speaker: Order. I called for responses, but not all at once.

RESPONSES

HEALTH PROFESSIONS

Mr Reville: Mr Speaker, I can see that you have been infected by the joyous mood of today. If we were to listen carefully even for a moment in this chamber, I imagine we could hear the exhalation of breath as all those health professionals who have been working on this for eight years and holding their breath have finally had a chance to take another one.

There is a gigormous—that is a word meaning gigantic; I learned it from my kids—a very large sigh of relief out there from about 100,000 professionals who have been saved from being dragged off by the health police for counselling, whether they be rabbis or priests or lay counsellors. That is an encouraging sign. I give all those who were involved in the very aggressive and effective lobby all the credit in the world for having effected that change.

The process is not unlike, in a way, the process that has been preoccupying Canadians on a national scale, the Meech Lake process. This has been an exercise in executive federalism in which 75 health professional groups have been engaged in an eight-year consultation. It is now being made public, and while I congratulate all the professionals on the work that they have done and commiserate with the 51 groups of health professionals who are not going to be regulated and who would like to be, it is now time for the key stakeholder to have a turn at this exercise.

1400

The key stakeholder, as the minister will agree and as I am sure all the health professionals will agree, is the public. There will be a significant opportunity for the public to say whatever it is the public wants to say about matters that are very important to the way in which health care is delivered, to the way in which we can ensure that health professionals are accountable to their consumers and to the public at large.

Some very impressive things have happened during the course of this process. A corner has been knocked off medical hegemony. Five new health professions are going to be regulated—

Hon Mr Conway: Hegemony?

Mr Reville: Hegemony, yes. He should try that out. It is something the member for Renfrew North knows a lot about.

There is a tiny shift in the health-illness paradigm, and that is a good thing. The triumph of western science over holistic responses has been delayed, and I think that is a very good thing. There are many places in the world that have managed to

achieve very high levels of health without reliance on "western science" and I think that more and more our society will come to see the wisdom in some of the allopathic approaches. It appears as though the government has seen the wisdom therein, but there is more to be done, particularly in my part of the world. In Riverdale there are a number of adherents of Chinese medicine, which has an ancient and honourable tradition, and we have not yet figured out a way to accommodate the skills and learnings of other cultures. One expects we will have to become much less ethnocentric here in Ontario as we look forward to a future that is not only more eclectic but more tolerant of other approaches that have worked well in other places.

I look forward personally to the extended hearings that are sure to follow this exercise, whether they be this summer or perhaps, following an election, next winter. I know that all those who have worked so hard to get us this far will want to be involved in the process to ensure that the gains that have been made will be preserved, and there will indeed be other comments that all sorts of people will want to make so that we end up with a health disciplines scheme that serves us all as well as it possibly can.

Mr Harris: In the absence of our Health critic, who is busy today still trying to resolve problems in the health care field in meetings in Collingwood—and he would be disappointed that he is not here today, some eight years later from when this process started—I want to relay on his behalf and on behalf of our party that we are pleased that the government is finally going to table the health professions regulation 18 months after the draft legislation was released. The passage of this legislation, if and when we are able to achieve that, as the critic of the New Democratic Party has stated, is unquestionably very important. It will be an important landmark in the reform of the Ontario health care system.

I think it would be an understatement to suggest that the particular review has attracted a great deal of interest across this province. There surely cannot be a member of this assembly who has not had a great deal of interest expressed to him in his riding office, in his home in the evenings and on weekends, and many of our spouses at events throughout this province have been involved in discussions. So it has evoked that sense of interest.

I want to express some concerns. There is every indication that over the past 18 months there have been very few changes. We will see—and we look forward to looking at it—but it appears that it took 18 months to take out some repetitive phrases, to make some minor language changes.

With regard to subsection 27(4), obviously the 18 months have been spent perhaps primarily dealing with that section. While I am pleased that the government has recognized there are problems with this clause and that it would place all unregulated practitioners in some legal jeopardy, I am very surprised that during this 18-month period we have accomplished nothing more than agreeing that it should be removed. We still must wrestle over the next six months, a year or whatever period of time, with what we are going to do to replace it.

I am concerned and a little surprised that in that period of time, with the amount of advice available to the minister and the resources that the minister has, she is still unable to make it clear to us how she will deal with unregulated practitioners. In cases like this, perhaps sooner rather than now, she may have arrived at the situation that maybe it is time to turn it over to a committee of the Legislature, to turn it over in a non-partisan way to take a fresh new look at it.

There are occasions, federally and provincially, where this strategy has worked far more effectively than all the millions of dollars of resources and expertise that the cabinet and the ministry have. So I support that move. I am sorry that it took 18 months to realize that.

I would like to say that our party looks forward to reviewing the legislation. We look forward to participating in a non-partisan, constructive way on the committee in trying to resolve some major difficulties that are still out there.

The minister at the end of her statement mentioned co-operation and partnership. That co-operation and partnership has not been prevalent in this government by the Premier, by this minister, by former Ministers of Health in dealing with the health care professionals. If indeed this is a switch in philosophy, a change, I applaud it, and we will do everything we can to encourage it and work with it.

I point out that yesterday the Ontario Medical Association—and it is no secret that there has been a long-standing feud and very entrenched positions with this government in dealing with the medical profession—held out the first olive branch and dropped its lawsuit on Bill 94. I encourage the ministry to show likeness in kind in dealing with this legislation and in dealing with future relations with the medical profession, in particular.

Finally, to Alan Schwartz, and through Alan to all of those who have helped him, I thank them for their eight years of getting us to this stage.

1410

ORAL QUESTIONS

PENSION LEGISLATION

Mr B. Rae: I have some questions for the Minister of Financial Institutions.

Our House leader received from the government a three-page list of must-have legislation on 31 May. It includes bills such as the Fraudulent Debtors Arrest Repeal Act, the Artificial Insemination of Live Stock and Embryo Transfer Act, the Unclaimed Intangible Property Act and other pieces of legislation the government says it must have before 28 June.

What the list does not include is legislation which the Liberal government has been promising the working people of this province for five years. This government committed itself in 1985 to ensuring that workers who retired with a pension would have that pension secure against the eroding and corroding effect of inflation. The minister has failed to introduce that legislation. I want to ask the minister why he has done that.

Hon Mr Elston: The list is of legislation that has been waiting for some time. As a result of the holdups that the Leader of the Opposition has orchestrated, we have not been able to prosecute the legislation there. That is a list of bills which we would like to have passed by the end of June. We know right well that group would not co-operate in passing, in addition to that list, pension legislation.

Mr B. Rae: It is not just that the government has promised this legislation since 1985. Since that time we have seen what has happened. Corporations have continued to rip off workers to the tune of tens of millions of dollars. Workers see the value of their pensions eroded by hundreds of dollars since 1985. The minister cannot get away any longer with this delay and this caving in to a corporate lobby against pension indexing.

The Liberals have admitted—even Larry Grossman admitted prior to 1985—that working people were getting shafted

because pension surpluses were growing and their pensions were not growing in accordance with that growth and with the way in which wealth is being transferred to the corporations on the surplus account. We know that has been happening. The government has admitted that in royal commission after royal commission.

When is the minister finally going to do the thing which he promised to do for the working people of this province five long, inflationary years ago? When is he going to do it?

Hon Mr Elston: As usual, the gentleman makes wild accusations. He has obviously caught the bug that has attacked the member for Welland-Thorold. They make wild and unfounded allegations. That is the way they like to do things.

That is okay, but let me tell the people of the province through you, Mr Speaker, and through the television that we are working on the material which forms the basis of legislation to be brought forward to deal with indexing. People understand very well the types of activities which have gone on in this House that have tied us up for week after week, month after month, but the members opposite have the nerve to stand in this House and say, "When are you going to get on with business?"

There is a lot of work to be done. Those people have prevented the work of this Legislature from progressing in an orderly manner for their own purposes, and that is fine, but they cannot now come back making wild accusations about us not trying to prosecute the business of this place when they are the ones who are confounding the process in a way that does not make this Legislature work very well at all.

Mr B. Rae: The hard fact of the matter is that rich and powerful interests in this province have been resisting the fair indexing of pensions for working people for a decade. Since 1980, when this issue was first placed on the public agenda, the corporate community has been resisting it. This government is doing their bidding, doing exactly what they want by refusing to bring this in.

In 1985 this government promised it. They promised it in 1986, again in 1987 and again in 1988. How can the minister live with himself, knowing full well that he is going to be retiring with a pension that will be protected from inflation but nobody else will? How does he feel about that?

Hon Mr Elston: That fellow who just spoke, the honourable member for York South as he is sometimes known, is full of wild accusations about the way this place is working. We passed legislation in this House in 1987 that dealt with a whole series of issues that brought forward major changes in benefit levels in pensions in this province. He has forgotten that. We have addressed that issue. We have dealt with portability, solvency issues and things like grow-in provisions for people who end up finding their pensions wound up. We have dealt with a whole series of issues and we have made the commitment.

In fact, it is in a legislative form that there will be pension indexing. We have been working as hard as we can by putting out material for consultation, in the context of all the agenda items we have been facing, to bring forward that issue for public consultation and discussion. We did that, as was pointed out by the member for Sault Ste Marie, in a consultation document over a year ago. We had a cutoff date for consultation and from that point on we have been dealing with the issue of auto insurance and other things. We are now putting our efforts behind consulting further to come up with the legislative package, and we will work as diligently as we can.

Mr B. Rae: First it was the sellout to the auto industry; now it is the sellout on pensions.

EMPLOYMENT ADJUSTMENT

Mr B. Rae: I have a question for the Treasurer in the absence of the Minister of Industry, Trade and Technology. I am sure the Treasurer is aware of the alarming fact that, as a province, we lost some 26,000 manufacturing jobs between April and December. In a very short space of time, Ontario manufacturing jobs have really been haemorrhaging. The fact of the matter is that there is no strategy in place in the budget that would help or assist or do anything for workers who are affected by this change on this level.

In addition to the pension legislation, which we now realize is not coming forward and which has been abandoned by the government, where is any piece of legislation in terms of reform on employment standards or reform on training, that lives up to the rhetoric which his government has been suffering from for so long and which deals with the degree of industrial change and job loss that is taking place all around us right now?

Hon R. F. Nixon: I think the honourable member is correct when he refers to the numbers of jobs lost, but it is typical that he does not refer to the jobs acquired. There is a balance. We are not frozen in amber in this province. We are still the most competitive jurisdiction in this part of North America. The results are the achievement of quite an amazing continuation of job growth. We feel that the best defence against the matter that the honourable member is referring to is to see that there are alternative jobs, and that is really the thrust of the budget.

Mr B. Rae: The Treasurer talks proudly about new jobs created. He will know, and I am sure he does, that the average wage in the service industries, for people who work in a whole range of fields, is about \$300 a week as compared with \$560 a week for people working in manufacturing.

The Treasurer will know that we are asking people to give up jobs as steelworkers and auto workers where they are making a good wage that will provide for them and their families, where they usually have pension and dental benefits attached to it and where they have plans that are associated with that employment, and to take low-wage, minimum-wage and part-time jobs and somehow see that as a substitute.

Where is the Treasurer's much-vaunted strategy on worker protection, whether it is in pensions or in skills training? Where is any of the stuff that he is supposed to be doing that is going to allow workers to cope with the level of change which is taking place?

Hon R. F. Nixon: The honourable member, who is an expert in this, will know that we have some of the best protection in North America for our workers.

Mr D. S. Cooke: No, it's not. That is not what you promised, but that's irrelevant.

Hon R. F. Nixon: That is true. In spite of the barking from the socialists, it remains true. I think particularly the honourable member for Windsor-Riverside, who is barking, would be aware of the commitment most recently made by Ford Motor Co to put a new plant in there to the extent of about \$50 million. Ford has announced a \$500-million expansion in the Oakville area. Toyota, Honda and Suzuki are hiring additional workers for the upping of production.

Frankly, it is strange that the honourable member seems to savour the bad news that he brings without giving any sort of balance to the realism that is a fact in this province.

1420

Mr B. Rae: I do not savour the loss of manufacturing jobs in my riding. I do not savour the fact that at Bilt-Rite, for example, 500 workers are unemployed because the company went belly up. I do not think the Treasurer meant that seriously when he said that I would savour talking to the workers in my riding who are maybe making \$10 or \$12 an hour. I know that at age 50, 52 or 53 they are going to be out on to the job market and looking for jobs at \$6, \$7, \$7.50 and \$8 an hour. I do not savour that. I do not even think the Treasurer meant that seriously. I do not think any member in this House would savour that kind of situation.

What I am saying to the Treasurer seriously is, look, we are going through this change; we understand this change is happening. I am asking the Treasurer this simple question: Where is his legislation? Where is his legislation on pensions? Where is his legislation on training? Where is the new partnership? Corporate incomes are going way up. They have got their gold-en parachutes saving those folks out there who are doing very well. Where are the parachutes, where are the safety nets, for working people when they are faced with these changes?

Hon R. F. Nixon: I say again to the honourable member that we have the best protection in the legislation of this province that he will find anywhere in North America. Perhaps it should be better, but it is the best. I would also tell the honourable member that we have the lowest unemployment rate in Canada and we are proud of the fact that this has been maintained as a competitive jurisdiction and that there are job opportunities here.

I agree with what the member has said. The problems faced by people over 50 when they have to be trained and retrained for new jobs are very serious. The federal government is participating in programs that have already been announced in this House. The honourable member, if he says we have no programs, is simply wrong.

TRADE WITH EASTERN EUROPE

Mr Harris: I have a question for the Deputy Premier about the same problem, and I do not want to diminish at all the need and the necessity to deal with the symptoms of what is happening in Ontario as we are losing manufacturing jobs. I also take great exception to the Deputy Premier suggesting that Ontario is the most competitive jurisdiction in North America. All the information, expert advice and analysis suggests that it is indeed the exact opposite.

However, in spite of that, I want to ask the Deputy Premier about trade opportunities in eastern Europe, given the rapid and unprecedented democratic reforms that we are seeing in a large number of eastern bloc European countries.

Given the remarkably little attention by this government to pursuing trade opportunities in other parts of the world, including the outright closing of some of our trade offices in the United States at a time when others are expanding theirs, does the Deputy Premier not agree that now—last month, three months ago, but surely now—is the time to establish trade offices directly in a number of eastern bloc countries that have already expressed an interest in significantly expanding or beginning trade opportunities with Ontario and Canada?

Hon R. F. Nixon: I agree with the leader of the third party when he talks about the opportunities for investment and trade that are opening up in Europe and are certainly going to be opening up in the eastern countries that have recently achieved

their freedom and are just now having elections and organizing themselves along democratic and market-program lines.

The honourable member, having been part of the previous government and an active supporter of it, will be aware that trade offices were opened in those days and they have been maintained. Our position in Frankfurt and Stuttgart, for example, is quite effective. I believe it is the Premier's personal connection with the President of the state of Baden-Württemberg that has led us to expand our role there.

The honourable member would be interested to know also that there are a number of programs of the type that I would like to refer to in response to his supplementary question that we believe are going to be effective in the future.

The Speaker: Maybe there is no need for a supplementary. Supplementary?

Mr Harris: There may not be because we have nothing in the way of any concrete action. We have assurances that the government agrees and shares some of the comfort that it should be moving in the direction I am talking about, but I suggest to the Deputy Premier that the time for talking about it is long past.

I have spent a considerable amount of time in the past year, particularly the last number of months, talking about simple common sense. A number of people in European countries have suggested to me that we are missing the boat by not moving now and that in fact it might be easier for a province to move than it is for a federal government to move, given some of the situations of relationships that federal governments must maintain.

Interjection.

Mr Harris: I think the Deputy Premier knows what I am talking about. I know the former Minister of Natural Resources has not got a clue.

The Speaker: And the question?

Mr Harris: I would ask the Deputy Premier why they would not commit now at least to establishing a significant presence in these east European countries and in these markets immediately, over the next couple of months, so that Ontario can catch up to some of the others and still be ahead of some of the competition to reap the benefits of the trade opportunities that—

The Speaker: Order. The question was asked.

Hon R. F. Nixon: I certainly do not dismiss the honourable member's strong suggestion in any way. I simply tell him that the province is well served by the trade offices that are presently in operation. Frankfurt is within easy and ready access of these countries and in fact is quite active in promoting trade in this regard. We have established a second office in Germany.

There are many areas where Ontario may be especially helpful and might be especially helpful in a way that would be profitable to us. In East Germany, for example, when the reunification with West Germany takes place, the environmental laws, which I do not believe are as strict as ours, that apply at present in West Germany are simply going to mean that East Germany will have to close down as much as 75% of its industrial operations. In areas like this the research that has been developed in this jurisdiction in response to our very strict and very rigid and very timely requirements might very much be made useful. It is certainly going to be a problem in East Germany, as it will in all of those other formerly eastern bloc

countries as they begin entering into a market economy and participating in the long run in the European Community.

Mr Harris: Other jurisdictions throughout the world have developed strategies and are working on it; they are moving in to capitalize on these tremendous new east European markets while Ontario is still sitting on the sidelines. West Germany, as the Deputy Premier knows, is a huge difference from the markets we are talking about.

East Germany, Hungary, Czechoslovakia, Poland, Yugoslavia, Romania and many other eastern bloc countries have expressed an interest. They are now crying out for the kind of help we can provide, and they are interested in doing business with Ontario; they are interested in doing business with Canada. They need our help now, and those who are there will be there in the long term, which means opportunities and jobs here in Ontario.

They also know, if this government does not, that when trade crosses the borders, armies do not. This is an important thing that they do understand. So it is mutually beneficial for east and west and it makes great sense.

The Speaker: The question?

Mr Harris: My question is not whether these east European countries have their acts together but whether the Peterson government in Ontario has its act together. My question is this: How long do we have to wait, how far does the train have to pull away from the station before—

The Speaker: Order. Would the member take his seat.

Hon R. F. Nixon: The honourable member is behind the times. He should be aware that a delegation led by a senior minister of this government has just returned from Germany. The government examined very carefully the opportunities for mutually advantageous trade with all of the European countries.

Interestingly, I am sure the honourable member would like to know that the President of Baden-Württemberg, Lothar Späth, is going to be coming to Ontario with a number of his officials, and he is going to be joined by the head of the government of Rhône-Alpes, which is a very rapidly growing economic centre and provincial jurisdiction. The head of the government in Lombardy and the head of the government in Catalonia are going to be here talking about the sorts of trade development that the honourable member is supporting. So I appreciate the fact that, really almost without knowing it, he is supporting the very initiatives that the Premier has taken in this important matter.

Mr Harris: Knowing that I must move on to a new minister, I will quickly violate the rules only by saying, nice try.

1430

HEALTH CARDS

Mr Harris: I have a question for the Minister of Health about the minister's new pet health card. One of the main reasons this card was introduced was to eliminate fraud. The minister herself said on 21 March, "The new health card...will tighten control over both fraudulent and unintentional use of Ontario health benefits."

Given that this statement is at total odds with the facts as they are becoming available and as we know them, will the minister tell us what specific controls in fact exist with respect to the issuance of this new pet card project of hers?

Hon Mrs Caplan: I would say to the leader of the third party that I stand by the statement I made in this House. This

new Ontario health insurance plan registration project is a significant improvement over what exists today. I want to assure him that there are the kinds of post-audit controls in place that will enhance accountability.

Mr Harris: Yesterday the minister said the system would cost taxpayers \$30 million and it would lead to savings of more than \$1.5 billion over the next 10 years. I wonder if the minister can explain how savings of \$1.5 billion will be realized when it is now very obvious that not only would the existing 25 million numbers that are out there all be eligible to go back in and get a card but in fact virtually anybody living anywhere in the world, including non-persons, can have access through the system the minister put in place.

What assurances can she give us that she, in fact, has not opened the door wide to far more than the 25 million people eligible to get these health cards?

Hon Mrs Caplan: The leader is incorrect. In fact, only those people who are previous holders of Ontario health insurance cards, who have an OHIP number, an address and a surname registered, are eligible to apply through this process. Anyone else must register through the ongoing process for new subscribers which is far more rigorous than the one which is available to those who presently have the card.

That was a very important decision that was taken because of the complexity of registering 9.5 million people. We felt it was very important that all those people presently covered not be worried about continuity of coverage. Therefore, the cards will be issued as expeditiously as possible. From the time we receive the four million applications that are coming in for 9.5 million people, we anticipate that within 12 weeks people should have their new cards.

Mr Harris: I am a little astounded by the minister's answer. She says there are controls with the exception of those who already have a number. It appears from the minister's answers that there are no controls there because they would have had to have a previous number. In essence, what she is saying is that there are no controls for 25 million, because that is how many numbers are out there right now. Now she tells us there are controls for all new ones; except that, despite what she says, the evidence shows that there are minimal or no controls as well for the new subscribers, given the evidence we have of who is getting these cards.

Surely, aside from the rhetoric the minister has given us, she must have in her possession a report, some paper, that outlines the checks and balances in place. Would she agree today to table with this Legislature whatever report she has that demonstrates there are any controls or checks and balances in this system so that we can take a look at it and assess for ourselves?

Hon Mrs Caplan: I would say to the leader that just a few of the pre-controls are as follows. Anyone to be registered through the one-time registration program must be covered under an existing OHIP account. Anyone else must register through the ongoing registration process, which involves more stringent controls. Anyone who has a temporary right to remain in Canada is required to provide copies of immigration papers to verify his or her legal status. A commercial software package is used to verify addresses. Checks against the existing OHIP premium database help ascertain eligible names, quality, residency and legal right to remain. For seniors, checks against the Ontario drug benefit database are carried out for the same reasons. Exception checks are being done on out-of-province addresses. A variety of other reasonableness checks are being

applied, including checks for duplicate registration. Every application form is required to be signed. Where there is a desire for anyone to deliberately be fraudulent, that is always difficult to—

The Speaker: Thank you.

FARM TAX REBATE

Mr Wildman: I have a question for the Minister of Agriculture and Food regarding the report from the farm tax rebate program review committee, which he appointed in October 1989 and which interviewed 330 interested parties as well as agricultural organizations regarding the fundamental changes in the farm tax rebate program that was instituted by this government in 1989.

Is the minister prepared to implement recommendation 4, that all land and buildings in agricultural production should be eligible for the tax rebate based on agricultural use of property, not on ownership status, occupation or income level of the owner?

Hon Mr Ramsay: I am pleased to be able to address the question posed by the member across the way. As the member has pointed out, in response to changes last year it was the decision of this government to have a consultative process. We have done that and, as the member has pointed out, a set of recommendations was presented to me for my consideration about six weeks ago. I have taken all those recommendations into consideration and have prepared a report in our internal process here for approvals. I cannot discuss the details of what we are proposing, but I would just assure the member that within about three weeks I should be in a position to announce what the 1990 farm tax rebate program will look like.

Mr Wildman: A simple yes or no would have sufficed. I wonder whether the minister could comment on recommendation 3, which basically points out that the position of the Ontario Federation of Agriculture and other farm organizations was correct and that the position taken by the government in 1989 was incorrect; that is, that this program should be seen as a means to tax agricultural land fairly, not as a subsidy to farmers in this province. Is he prepared to recognize that the farm tax rebate program is a form of property tax relief, and not a welfare program for farmers?

Hon Mr Ramsay: As I pointed out to the honourable member, I am not in a position to discuss the details of the report or the cabinet submission that I have prepared. I am sure the member realizes the process. But I think it provides me an opportunity to thank the Treasurer, who gave us \$7 million more, which backed up another \$140-million program, so we have \$147 million going to the 1990 farm tax rebate program. I think that shows tremendous support by the Ontario government for the farmers of this province.

1440

EMPLOYER HEALTH TAX

Mr Brandt: My question is for the Treasurer. He will be aware of my party's long-standing opposition to the employer health levy. We have, on a number of occasions, raised in this House our concern about the inequities of that particular tax.

I wonder whether the Treasurer could share with us the logic and the reasoning behind the government's decision to introduce such a tax other than as a revenue grab but, in so doing, to leave out certain independently employed professionals with incomes in the range of \$75,000 to \$100,000 who

are not required to pay this tax when others in our society making far less money are in fact forced to pay the tax. Why would he overlook that particular group of taxpayers and put them in a position where they would not be obligated to pay?

Hon R. F. Nixon: The honourable member knows that no individual pays the tax. If he is trying to imply that somehow working people at low incomes pay it, that is simply not correct. It is an employer health tax and the employer is responsible. The honourable member, being at a relatively high income level himself, will know there was an increase in the personal income tax last year; there was another 1% charged. For people with high incomes, over the \$75,000 level, there is a surtax. I am not for a moment saying that we have achieved the perfection of fairness and equity that I hope to achieve over my tenure in this office, but we are working towards perfection.

Mr Brandt: The Treasurer has in part missed the point. Self-employed professionals with high incomes who do not have a payroll do not pay. We have in addition to that the inequity of corporations and businesses in this province that have a very high percentage of their gross revenue dedicated to payroll. As an example, I can think of the real estate industry where as much as 80% to 90% of the gross revenue that is realized by those businesses is actually salaries paid out in the form of commissions to sales agents.

A manufacturing corporation, on the other hand, may have a salary percentage of gross revenue in the range of 10% or 15%. Yet the Treasurer applies across the board his 1% or 2% levy for health purposes as though everyone was in exactly the same category in this province. Does he not understand that not only is the tax bad but there are gross inequities which he has to clear up in order to make the tax at least reasonably fair? Is he prepared to do that?

Hon R. F. Nixon: We think it is fair that it is based on the payroll paid, whether it is in the hundreds of thousands of dollars or something less than that. The honourable member would know that in fact it covers only 16% of the cost of medicare and that all the industries and people benefit by having a properly financed program, which I will tell him is the envy of almost every country in the world. We believe this method of financing is by no means complete—it does not pay anything near the cost—but it does mean that the community as a whole participates based on the payrolls associated with the provision of services and the manufacture of goods.

FUNERAL SERVICES

Mr Daigeler: My question is to the Minister of Consumer and Commercial Relations and it concerns the provision of funeral services in this province. In October 1989, the minister will well remember, Bill 30, An Act respecting Funeral Directors and Establishments, received royal assent. The bill contains many provisions to protect consumers and maintain a very high degree of professional conduct by the people in the industry. My concern relates to the timing of the enactment of these provisions.

Given that the bill was passed in October, many are eagerly awaiting its proclamation. Can the minister tell us when in fact the bill will be proclaimed and whether consumers will soon be able to be adequately protected in this field, which is often a very difficult one at the time?

Hon Mr Sorbara: Most of the news is good news. We have now proclaimed the bill. In fact, it came into force on 1 June, although the regulations that will ultimately put the final

detail on the project have not yet been completed nor have they been put into force by way of order in council. But the bill itself now is the law of the province of Ontario. I think that is very good news for a number of reasons, not least the specific provisions in the bill which redirect the entire area more towards consumer protection than the traditional approach to the regulation of funeral services in the province. Most important to note perhaps in that regard is the appointment of a new board. Historically, the board was under the Ministry of Health; it is now under the Ministry of Consumer and Commercial Relations and is a board with a balance and a very strong consumer protection interest on it.

Mr Daigeler: I thank the minister very much. Obviously I am very pleased to see that the bill has now been proclaimed.

My supplementary relates to the work of memorial societies. As the minister and many of the people in this House know, memorial societies exist to help people obtain suitable and at the same time inexpensive funeral services. I am wondering whether memorial societies are covered with this new legislation and, in this context, what the minister has been doing or is considering doing regarding the provision of accessible and inexpensive funeral services for people who will need assistance.

Hon Mr Sorbara: In respect of the Federation of Ontario Memorial Societies, I think it just has to be said that they have played a fundamental and critical role not only over the three-and-a-half-year period that we have been working on this legislation and through its consideration legislatively, but continuing on in the consideration of the regulations under it. I think of people like Pearl Davie, Elly Elder and David Jackson from the federation who can take a great deal of credit for the fact that we are where we are with the new Funeral Services Act.

Might I also just mention perhaps to my friend the member for Nepean the consumer protection points that will characterize this new approach under the bill and the regulations. First of all, all funeral establishments will now have to provide a fully itemized price list—and that price list will have to be made available to the public—and will be required under the act and the regulations to provide non-traditional and low-cost funeral services. The act continues in that vein, as will the regulations.

FOREST MANAGEMENT

Mr Laughren: I have a question for the Minister of Natural Resources. The minister will know, I hope, that in the last four years the government has collected about \$300 million from northern Ontario pulp and paper and logging companies in the form of licences, royalties and stumpage fees. She also knows, of course, that her ministry supplies the seedlings to the forestry companies for reforestation purposes.

Given that this much money has been extracted from northern Ontario through that one area of taxation alone, how is it that when E. B. Eddy Forest Products wanted one million seedlings to plant in about 3,000 acres of land, her ministry told Eddy Forest Products it could not have them because the ministry had no money?

Hon Mrs McLeod: I am not familiar with the specific situation the member raises, but I would expect that the exchange that would take place with E. B. Eddy Forest Products would be in relationship to commitments that were made through the forest management agreements with Eddy and through the funding agreements for regeneration and silviculture that are provided for in those forest management agreements. If that is not in fact the case, or if the situation the

honourable member raises differs from that case, I would certainly be prepared to pursue it.

Mr Laughren: I do not know if it differs or not, because the minister's answer is gobbledegook. The fact remains that Eddy wants to plant about a million seedlings on about 3,000 acres of land. The ministry has said no. How is that possible? Could the minister please assure us that those seedlings will be planted, either at Eddy Forest's expense or at the expense of the Ministry of Natural Resources? She should not forget she has taken \$300 million out of the north in this area alone in the last four years. It is time she put some back in. Will she give us that assurance?

Hon Mrs McLeod: I would again stress the fact that I do not consider the forest management agreements that have been very carefully negotiated with our forestry companies to be in any sense gobbledegook. I think they are contractual arrangements; they are arrangements which provide a basis on which the forestry companies and the ministry undertake to ensure that there is silviculture activity carried out on harvested lands. The contracts are set in terms of the sharing of funding for those activities that are carried out.

In terms of the member's more general question about the contribution of the ministry to silviculture in relationship to the licensed revenue that is received from the forest products industry, I would indicate that in 1988-89 the revenue from crown dues in forestry was \$87.8 million. In 1990-91 we will be spending \$138 million directly on silvicultural operations and support. That of course is only one part of our overall forestry budget, but that part alone is significantly in excess of the revenue that is received from the forest companies for that. Therefore, we are supporting the forest activities well beyond those revenues.

1450

TRAVEL INDUSTRY COMPENSATION FUND

Mr Runciman: My question is for the Minister of Consumer and Commercial Relation and it is related to the collapse of Odyssey and Thomson tours in respect to the payouts from the travel industry compensation fund. My own riding of Leeds-Grenville had over 27 families who were stranded in Florida as a result of the collapse of Thomson, and to this point they have been unable even to file a claim because of the government's apparent failure to supply claim forms. I wonder what is happening in the ministry in respect to this matter. How quickly are they working on this? When can these people expect payment?

Hon Mr Sorbara: I am surprised that the constituents of the sometime consumer critic from the Progressive Conservative Party have not yet received claim forms, because the forms have been available for some time now through the travel agents. Mind you, this was a massive mobilization of effort. The repatriation of some 3,000 people over a weekend was probably the most ambitious undertaking that the travel industry branch of my ministry has ever undertaken; and getting those claim forms out around the province is now also complete.

I want to tell my friend that if there is a particular agent who does not yet have the claim forms, I want to hear from him about that. I would like the name of the agency, and I can assure him, as I do you, Mr Speaker, that we will make sure the claim forms are available to that agent and to those families.

Mr Runciman: The minister is obviously a sometime minister, because I phoned his office on 25 May in respect to this

matter, advised his staff people about the failure of his ministry and the fund to provide forms for travel companies in my own riding. We complained on 25 May. Yesterday they finally received the claim forms in the riding. Trying to call Hal Burns, the registrar for the travel industry fund; we could never get an answer; repeatedly busy lines and never returning phone calls; phoning the staff in the minister's office and having no action and finally receiving those forms yesterday. This is a complete and utter failure, and I want to see, now that we have the claim forms, how quickly people right across this province can expect a response and quick payment.

Hon Mr Sorbara: What I hear from my friend the member for Leeds-Grenville strains credibility. He and I have been sitting in this place since 25 May and since well before then—this session started long before that—and I do not know whether or not he has called my office or whether or not the story he tells bears any relationship to accuracy, but if he had a real problem, he could have walked across the floor and advised me of his problem.

I want to tell him that we anticipate that within 10 to 15 days after a claim has been submitted—

Mr Runciman: What are you trying to say? What kind of cheap shot is that?

The Speaker: Order.

Mr Runciman: I called your office and it should be on record. You just do not know what is going on. Get on top of things. Stop campaigning for Chretien and pay attention to your ministry.

Hon Mr Sorbara: Now, Mr Speaker, he does not even want to hear the answer; he just wants to shout out and interject.

I want to tell him that once the claims have been submitted, obviously they will have to be verified. Our objective is that within 10 or 15 days after the form has been submitted, 75% of the claim will be paid out and the balance will be paid out at the end of a six-month period.

Mr Sterling: On a point of order, Mr Speaker: He should withdraw the comments where he is actually saying that the member for Leeds-Grenville lied.

Mr Faubert: He did not say that.

Mr Runciman: He might as well have said it.

The Speaker: Did the member in any way call the other member a liar?

Hon Mr Sorbara: Mr Speaker, I would never suggest such a thing. I think if my friend the member for Carleton reviews Hansard, he will agree with me that I did not suggest that at all. What I suggested is that what he said strains credibility.

SKILLED TRADES

Mr M. C. Ray: I have a question for the Minister of Skills Development. My question concerns the recently published report of the Ministry of Skills Development, which we received last month and which is entitled Ontario's Labour Market: Long-Term Trends and Issues of the 1990s. That report speaks of the shortages which employers encountered in the 1980s, shortages of skilled persons who are capable of working with new technologies which have been introduced into offices and plants. The report also goes on to say that enrolment patterns in engineering technology and apprenticeship programs mean a potentially severe shortfall of persons in the labour market who are qualified to fill these types of positions.

I would like to ask the minister if he accepts the inevitability of a shortfall in skilled labour, as the report seems to do, or is he going to act to avert a crisis by introducing new initiatives to address this problem?

Hon Mr Conway: I thank my friend for the question. I must beg to differ, however. I would not agree with him that the report accepts the inevitability of permanent shortages in the skilled trades sector. It is certainly not my view that it is at all inevitable. That is why as a government, and right across the government, we have undertaken a whole series of initiatives to, among other things, raise public awareness about the opportunities that this future is going to provide.

I say to my lawyer friend the member for Windsor-Walkerville and to my professorial friend the member for Nickel Belt that part of that awareness is ensuring that as parents and as community leaders they are going to do all that is necessary, at home and in the community, to ensure that their daughters and sons are going to be encouraged and are going to receive the kind of counselling and education that is going to allow them to seize this future, a future of greater scientific and technological opportunity and literacy, at full sail.

Mr M. C. Ray: The answer of the minister would seem to imply that the programs are readily available in the schools, that the structures of worker and educational retraining already exist. What the report suggests is that those programs were not available in the 1980s. What I am asking is when this government is going to take action to ensure that those programs, which we expect to see in the form of recommendations from Vision 2000 and the Premier's report on education training, will be forthcoming, and when we can see some action to address what is now apparently an urgent problem.

Hon Mr Conway: I have a great regard for my friend the member for Windsor-Walkerville, and we have discussed this in a number of other places. He will know that in his home city of Windsor, for example, the government of Ontario, through the Ministry of Education's school-workplace apprentice program, is sponsoring a number of students to begin that very creative new opportunity in the city of Windsor.

St Clair College in his community is involved in a whole series of new initiatives to prepare young people from Essex-Kent—and the not-so-young who are coming back into education for upgrading—with every opportunity to meet that future in a very positive way.

There are a whole series of other initiatives, whether they have to do with the literacy programs we are undertaking or whether they are what my friend the Minister of Industry, Trade and Technology announced with respect to millions of training dollars being made available in the Windsor area for the Ford opportunity that our friend the member for Windsor-Riverside is so quick to discount.

But I will say this: Government cannot act alone. We must act in concert with business and with labour. We must also invite parents and other leaders in the community to ensure that attitudes change, because if attitudes in this province and in this country do not change with respect to the importance and the opportunity and the prestige of, for example, careers in the skilled trades, all—

The Speaker: Thank you. Order. New question.

POLITICAL CONTRIBUTIONS

Mr Philip: I have a question for the Minister of Municipal Affairs. My question arises from the minister's statements of 19 April concerning his intention to review the municipal conflict-of-interest legislation and the Municipal Elections Act.

In the light of the disclosures concerning a prominent Liberal's—namely, the mayor of Ottawa's—acceptance of campaign funds from a crown corporation of this government, will the minister assure the House that he will make it illegal for any municipal candidate to accept political contributions from any publicly owned or funded corporation or organization?

Hon Mr Sweeney: As the honourable member is aware, that particular operation is being investigated by the provincial police. As the member is also aware, the proposal we have out there being explored is that all contributions which in fact are not used for the election itself would go into a trust account offered by the municipality.

With respect to his latter observation, it is my understanding that every minister of this government has indicated to those agencies that receive transfer payments from the provincial government that it is inappropriate and improper for them to donate to any political party. I would be interested to see what the reaction to that is before we have to actually change the legislation itself.

Mr Philip: The reaction of the corporation under the jurisdiction of the Minister of Tourism and Recreation was to say it thought that was good public relations. That is the reaction, that is on record, that is public knowledge.

Under the present Municipal Act the primary onus is on an individual to lay a complaint or initiate proceedings against someone who abuses the municipal finance process. Is it not time now for the province to show some leadership and establish a systematic, independent audit of municipal expenses so we can catch those people who would abuse the system, who would use public funds for their own municipal election campaigns, and ensure that these people are properly prosecuted?

Hon Mr Sweeney: The honourable member has partially answered his own question in that once officials of the Ottawa Congress Centre were made aware of the fact that this was inappropriate, they accepted that from the minister and indicated they would not do it again.

My honourable colleague might remember that in my previous capacity as the Minister of Community and Social Services I had sent out the same direction to something like 1,800 agencies across this province—I guess it was about a year and a half ago now—and in every single case the word back was: "Thank you very much for clarifying that for us. That is the way we will behave in the future."

The only point I am trying to make is that when agencies that receive government funds are apprised of the fact that it is not appropriate, in every single case, to the best of my knowledge, they have said, "Yes, that is understandable now, and we will not participate."

The second point I would make is that the—

The Speaker: If it is short.

Hon Mr Sweeney: The review team under Cy Armstrong, the former CEO from Hamilton-Wentworth who is now travelling across the province, is looking into these very kinds of issues and coming back with recommendations to all of us in

this Legislature as to how municipalities ought to proceed in the future and will have that ready for the 1991 municipal elections.

PARLIAMENTARY ASSISTANTS

Mr Runciman: I have a question for the Chairman of Management Board. The citizens of Ontario recently expressed concerns about the hiring of 7,000 additional public servants since the Liberal government took power in 1985. This occurred at the same time as people were being asked to pay about twice as much provincial tax as they did five years ago. Now we have evidence that this kind of largess and irresponsible handling of the public's money has made its way into the halls of this assembly. Can the minister explain the rationale behind his government's appointment of four additional parliamentary assistants for ministries without portfolio in the last year?

Hon Mr Elston: The honourable gentleman knows from his days in government that parliamentary assistants form a very valuable part of the support network for ministers and deal on a day-to-day basis with a huge number of agenda items which we like to have under control in the matter of getting input for the government. He knows that those ministers without portfolio likewise have busy schedules, as I know he does as a private member, just as all of us do. Those appointments were made so that we could reach out to the public and get the consultation which this member knows that we would like to have; in fact, they even encouraged us to cast our net even further.

The appointments were of the highest calibre. They are renowned among their colleagues, and the member would know that to appoint people of quality is a hallmark of this government's record in this province.

Mr Runciman: I give the minister credit that he gave that answer without cracking a smile. The reality is that 89 out of 94 Liberal members have extra income. Given that these ministries—

Interjections.

The Speaker: Order.

Mr Runciman: I have this Liberal rump, making it difficult for me to pose the question. I guess they are all parliamentary assistants at the trough.

Hon Mr Elston: The Liberal rump is bigger than you are.

The Speaker: Order. Would you place your supplementary now? Thank you.

Mr Runciman: Given that these ministries do not have a deputy minister or significant numbers of bureaucratic staff, given that these parliamentary assistants have not made any major speeches in this House on behalf of their ministers, given that they are not allowed to answer questions and given that they have no role in guiding legislation through this House, what is his possible justification for the payment of over \$30,000 in taxpayers' dollars to these four Liberal members when they have no meaningful or measurable responsibilities in this Legislature?

Hon Mr Elston: I know the member used to be a member of the executive council, and he knows that having a person as a parliamentary assistant was a very helpful adjunct to his office so that he could meet with the very large number of people who want to speak to ministers and ministers without portfolio. We happen to believe that there is a very important issue at stake for the Minister without Portfolio responsible for senior

citizens' affairs, so it is important that she in fact have a parliamentary assistant; the same for the Minister without Portfolio responsible for disabled persons and for the other two secretariats which he mentioned. Those are very important constituencies which we believe must have access in a very quick and orderly fashion; so as a result we have made those appointments.

I might just say that it is interesting that this question is raised by the member for Leeds-Grenville, because he would know that the Tory party has a paid position for a deputy House leader. A deputy House leader is paid for that party when it has 17 members. I understand that those are 17 of the most independent-minded people anywhere assembled, but surely they do not need two people, in addition to paid whips, to manage their processes. Maybe he would like to tell us a little bit about the reason for that.

The Speaker: Thank you.

GASOLINE TAX

Mr Callahan: My question is for the Treasurer. Recently the council of the city of Brampton endorsed a resolution by another municipality calling upon the provincial government to allocate certain of the revenues received in gasoline tax towards budgets to assist it in looking after its roads. I recently was astounded to discover that the federal government, which collects some \$800 million in this province, does not allocate one red cent to roads. Can the minister tell me what amounts are allocated to municipalities in this regard in terms of restructuring their roads?

Hon R. F. Nixon: I think the honourable member's question is important. I am glad he gave me notice of it. Our revenue from this year from gas tax is expected to be about \$1.5 billion. From that, we allocate to municipalities \$776 million for roads and an extra \$641 million for transit, which makes a grand total of about \$1.4 billion.

Mr Callahan: In light of the fact that the province is that generous, I wonder, in his next meeting with his counterpart in Ottawa whether perhaps he might advance to him that, of the \$800 million that the federal government collects in this province, he might be prepared to assist in that regard as well.

Hon R. F. Nixon: I think the suggestion is an excellent one. I hate to correct my honourable friend, who has never been known to be wrong before, but the federal revenue from gas tax is not \$800 million; it is \$1.7 billion. They get more from gas tax than the province does and they do not spend a nickel on roads, except for a minor expenditure of \$26 million for certain structures. It is interesting to note that the cost of an interchange where a controlled-access highway intersects with a controlled-access highway is \$100 million, exclusive of property. The federal people take more money out of the province in gas tax than we do and really contribute nothing to our road transportation.

1510

PETITION

ZONING BYLAWS

Mr Wildman: I have a petition signed by approximately 380 residents of communities from Echo Bay through to Bruce Mines and Thessalon along the north shore of Lake Huron. The petition is in support of property owner Roy Ayers in his request to be granted a zoning bylaw amendment and a commer-

cial entrance off Highway 17 east in order to expand his business and provide much-needed services to the Echo Bay area. Mr Ayers's property is located in the township of Macdonald and he has a business that assists local farmers in the agricultural community with repairs to their machinery. I have signed the petition.

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr73, An Act to revive Ontario Korean Businessmen's Association;

Bill Pr79, An Act respecting the Township of Guilford.

Your committee begs to report the following bill as amended:

Bill Pr41, An Act respecting the Ottawa Arts Centre Foundation.

Your committee further recommends that the fees and the actual cost of printing at all stages and in the annual statutes be remitted on Bill Pr41, An Act respecting the Ottawa Arts Centre Foundation.

Motion agreed to.

INTRODUCTION OF BILLS

COUNTY OF SIMCOE ACT, 1990

Mr Sweeney moved first reading of Bill 177, An Act respecting the Amalgamation of certain Municipalities in the County of Simcoe.

Motion agreed to.

Hon Mr Sweeney: Members may recall that back in January I indicated that changes would be taking place in South Simcoe as a result of investigations as to the growth pressures there. This legislation will amalgamate Cookstown and Innisfil into one municipality, Bradford and West Gwillimbury into another, and Alliston, Beeton, Tottenham and Tecumseh into a third. It reflects the input of a transition team composed of representatives of all eight municipalities who are working at the present time and whom I would like to thank.

HEALTH PROFESSIONS REGULATION ACT, 1990

Mrs Caplan moved first reading of Bill 178, An Act respecting the regulation of Health Professions and other matters concerning Health Professions.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

**AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1990**

Mrs Caplan moved first reading of Bill 179, An Act respecting the regulation of the Professions of Audiology and Speech-Language Pathology.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those in opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

CHIROPODY ACT, 1990

Mrs Caplan moved first reading of Bill 180, An Act respecting the regulation of the Profession of Chiroprody.

Motion agreed to.

CHIROPRACTIC ACT, 1990

Mrs Caplan moved first reading of Bill 181, An Act respecting the regulation of the Profession of Chiropractic.

Motion agreed to.

DENTAL HYGIENE ACT, 1990

Mrs Caplan moved first reading of Bill 182, An Act respecting the regulation of the Profession of Dental Hygiene.

Motion agreed to.

DENTAL TECHNOLOGY ACT, 1990

Mrs Caplan moved first reading of Bill 183, An Act respecting the regulation of the Profession of Dental Technology.

Motion agreed to.

DENTISTRY ACT, 1990

Mrs Caplan moved first reading of Bill 184, An Act respecting the regulation of the Profession of Dentistry.

Motion agreed to.

DENTURISM ACT, 1990

Mrs Caplan moved first reading of Bill 185, An Act respecting the regulation of the Profession of Denturism.

Motion agreed to.

1520

DIETETICS ACT, 1990

Mrs Caplan moved first reading of Bill 186, An Act respecting the regulation of the Profession of Dietetics.

Motion agreed to.

MASSAGE THERAPY ACT, 1990

Mrs Caplan moved first reading of Bill 188, An Act respecting the regulation of the Profession of Massage Therapy.

Motion agreed to.

**MEDICAL LABORATORY
TECHNOLOGY ACT, 1990**

Mrs Caplan moved first reading of Bill 191, An Act respecting the regulation of the Profession of Medical Laboratory Technology.

Motion agreed to.

**MEDICAL RADIATION
TECHNOLOGY ACT, 1990**

Mrs Caplan moved first reading of Bill 192, An Act respecting the regulation of the Profession of Medical Radiation Technology.

Motion agreed to.

MEDICINE ACT, 1990

Mrs Caplan moved first reading of Bill 193, An Act respecting the regulation of the Profession of Medicine.

Motion agreed to.

MIDWIFERY ACT, 1990

Mrs Caplan moved first reading of Bill 195, An Act respecting the regulation of the Profession of Midwifery.

Motion agreed to.

NURSING ACT, 1990

Mrs Caplan moved first reading of Bill 196, An Act respecting the regulation of the Profession of Nursing.

Motion agreed to.

OCCUPATIONAL THERAPY ACT, 1990

Mrs Caplan moved first reading of Bill 197, An Act respecting the regulation of the Profession of Occupational Therapy.

Motion agreed to.

OPTICIANRY ACT, 1990

Mrs Caplan moved first reading of Bill 198, An Act respecting the regulation of the Profession of Opticianry.

Motion agreed to.

OPTOMETRY ACT, 1990

Mrs Caplan moved first reading of Bill 199, An Act respecting the regulation of the Profession of Optometry.

Motion agreed to.

PHARMACY ACT, 1990

Mrs Caplan moved first reading of Bill 202, An Act respecting the regulation of the Profession of Pharmacy.

Motion agreed to.

PHYSIOTHERAPY ACT, 1990

Mrs Caplan moved first reading of Bill 203, An Act respecting the regulation of the Profession of Physiotherapy.

Motion agreed to.

PSYCHOLOGY ACT, 1990

Mrs Caplan moved first reading of Bill 210, An Act respecting the regulation of the Profession of Psychology.

Motion agreed to.

RESPIRATORY THERAPY ACT, 1990

Mrs Caplan moved first reading of Bill 212, An Act respecting the regulation of the Profession of Respiratory Therapy.

Motion agreed to.

TOWNSHIP OF PLYMPTON ACT, 1990

Mr D. W. Smith moved first reading of Bill Pr65, An Act respecting the Township of Plympton.

Motion agreed to.

1530

ORDERS OF THE DAY

HIGHWAY TRAFFIC AMENDMENT ACT, 1989
(continued)

Resuming the adjourned debate on the motion for second reading of Bill 96, An Act to amend the Highway Traffic Act.

The Speaker: I believe the member for Hamilton East had the floor.

Mr Mackenzie: I just have a few additional remarks on this piece of legislation. First, however, I think it is important to reiterate that what we have here is a piece of legislation that certainly does not find favour with the vast majority of drivers in the province of Ontario, that does not find favour with the vast majority of truck drivers in Ontario, that seems to find favour only from a handful of the huge and powerful trucking companies, and probably they are the only ones that are going to survive in Ontario.

I cannot for the life of me see why we have a bill before us, Bill 96, that, very similar to Bill 88, the deregulation of the trucking industry, in effect plays into the hands of the American trucking industry and, I suspect, into the hands of the trailer manufacturing industry as well. If we keep to the 23-metre maximum, where we presently compete, we will be better off than going to the larger trucks, where the Americans have a good head start on us. In addition to that, I think it is useful to point out one or two of the arguments we made during the debate we made on Bill 88.

While Bill 88 opens up the Ontario trucking market to Americans, Ontario truckers will not have the same access to the United States. Forty-three states, including the huge markets of California and the northeastern states, except New Jersey, maintain systems of regulatory control over trucking within their borders that make it extremely difficult to obtain operating licences. I would like the minister to also explain how we have any easier or more access to those states where they maintain state control with this particular bill. How does it give us a hand up? For the life of me, I cannot understand or see where that is going to help us.

I think it is also useful to summarize—well, first, before I do, I want to say that I was contacted by a couple of people—I am surprised at the people who do watch this place from time to time—last night who raised the debate we had here in the House yesterday, raised why there has not been more defence of

the legislation by the minister. They were, incidentally, not in support of the bill, but their real question to me was, “Why don’t we know about this?” or, “Why hasn’t this been before us?” or, “Why don’t we have some say in it?” I was tempted, I can tell the minister, to say that, “Your say or your comments probably won’t make any more difference than workers’ comments on Bill 162 or Bill 208, or some of the auto insurance, or some of the other bills we’ve had before this House.”

But the facts are that the people had better wake up and start calling their Liberal members of provincial Parliament in this Legislature, because if they do not, before very much longer they are going to be faced with the longer trucks on the highway. I know very, very few people who are in support of that position and I see no benefit to it. I hope there are a number of Liberal members who have got the guts to get up and defend the position of this bill that the minister is putting forward.

In summary, I would like to go back once again to the letters from the Hamilton Automobile Club, which probably summarized better than anything else I have read the reason why this is extremely bad legislation. I think it is also useful to go back to the background, or the switch, or the about-face that this minister has done. Well, he shakes his head. But in that letter, one of the key paragraphs says, and they are arguing their opposition to this legislation and their surprise and dismay at this legislation coming down, “The fact is that the circumstances have not altered one bit since the cabinet made a decision in February of 1988 not to permit the 25-metre trucks on our highways.” I would reiterate that it is the same decision we made in the select committee on highway safety a good many years ago.

“The Honourable Mr Fulton reaffirmed the cabinet’s position in a letter to us dated 20 June 1989.” Well, maybe these letters were not sent; the minister shakes his head. But this is a letter from the Hamilton Automobile Club. “In early October, 1989, you publicly reaffirmed the lengths would not be increased.”

Hon Mr Wrye: No, no, you’re wrong.

Mr Mackenzie: This is October 1989, to the minister. That is going into paragraph 3, but let’s go back to paragraph 1:

“Consequently, we must express a sharp note of disappointment in your announcement a mere two weeks later that you would be considering an increase to 25 metres for trucks in Ontario. This simply underlines the skilful manner in which some of the major trucking companies through their trucking association are able to sound so convincing. We have dealt with them for a good many years and are quite familiar with their patterns of persuasiveness.”

Here we have a minister who apparently, as far as the auto club is concerned, has made a commitment as late as October 1989, who certainly did not indicate his change in a meeting with officials of the club on 9 November 1989 and yet in this House all of a sudden has a bill before us to allow the monsters on the roadways.

Hon Mr Wrye: Not monsters, they’re not monsters.

Mr Mackenzie: Yes, monsters, because that is what people think; that is what older drivers think; that is what most of the drivers on the highway think. In wet and sloppy and winter weather in particular it literally terrifies people.

I have asked the minister a number of times to come up with people who are petitioning him, drivers on our highways, saying, “We need longer trucks on the highways of Ontario.” I am darned sure he has not had any of that kind of pressure, and I have already told him that the drivers of most of those trucks,

through their union, the Teamsters, have also opposed the longer trucks. I do not know where he is getting the support, other than from a small group of trucking companies.

The minister was not too happy with having read into the record the comments of the *Toronto Star*. "I guess we are also very concerned"—and I am reading the paragraph out of the letter from the automobile club again—"about the very blatant statement made in the *Toronto Star* by a trucking representative, 'We are happy the minister is a friend of the truckers.' The question millions of motorists will be asking is, 'Where does that place the minister as the representative of the motorists and the ordinary citizens of Ontario?'"

I want to make it clear, my question is the same as it was when I wound up yesterday. The minister is so obviously a friend of the major trucking companies, and I say that is a very small constituency. Who the blazes is representing the drivers and the truckers themselves in this province and what the heck did it cost them to get that turnaround so quickly from this minister? I think it is a legitimate question, and I think that question should be answered in this House.

Mr Villeneuve: It is a pleasure to participate for a short period of time in the debate on Bill 96. I had occasion in my riding about 10 days ago to see more trucks in one spot than I have ever seen before or I ever hope to see again, and at that same time we saw many truck drivers who were not in good humour at all. It was at the Ontario-Quebec border and there was a very major trucking strike where upwards of 1,000 large trucks were stopped on the highway, along the highway, on Highway 401, Highway 417, Highway 2 and any other road that you would care to think about. I had occasion to discuss with a number of the drivers the concerns that they had then and that they still have. Indeed, they brought the province to its knees. We had many retail stores that were literally running out of supplies. Speaking for the agricultural group, all of what is produced on farms, all of what moves in and out of farms is dependent on the trucking industry, from milk trucks, to livestock trucks, to grain trucks, to trucks that haul fruit and vegetables, and what have you. The trucking industry is most important, is the lifeline of industry and trade in this province and indeed in this country.

The truckers themselves were unhappy with a number of things, first of all their inability to compete with American trucks that were crossing. I was in contact with the minister's office on several occasions, and I commend the minister for also being in his riding, at the Peace Bridge, I believe, discussing the situation with the truckers in that area, as I was with the truckers who were stopped at the Ontario-Quebec border. They are very unhappy with the costs of operation. For instance, 40 cents a gallon is the provincial share of tax on fuel which they burn, very much higher than the cost in the United States.

1540

I realize it is very much a safety factor, but they are unhappy with the very close scrutiny of the logbook and the fact that there is no tolerance on both speed and weights. I realize that there are laws and they have to be upheld, and if you give a little, you give a lot. However, they are telling me that 300 pounds overweight on a load of some 30 or 40 tonnes brings on a fairly substantial fine. One or two kilometres over the speed limit has been bringing charges to them.

They feel that somehow or other the ministry could have some discretion in trying to at least provide a little bit of tolerance whenever it is obvious that the trucking industry has difficulty to compete. They have to travel to the maximum and I

do not believe that they—certainly the majority of them—would intentionally be either overloading or speeding. However, these are things that result in additional costs and costs that make it very difficult for this industry to compete. I think we only realized two weeks ago just how important the entire industry is to the province in that business was really affected on basically a three- or four-day stoppage of movement of goods and material across the province.

Safety is the first and foremost factor. I, as do many of the members in this Legislature, travel Highway 401 extensively in both good weather and less-than-perfect conditions. I would say to the minister that if indeed we are going to allow longer trucks, from 48 to 53 feet, we must somehow or other do a couple of safety precautions.

First, there has to be a way to put a skirt around those wheels to prevent the serious splashing and indeed the elimination of any ability to see when you are passing or when they are passing the motorists.

Second, the centre of gravity: We often have loads upwards of 40 tonnes, literally, besides the weight of the tractor and the trailer, sitting with a point of gravity above the height of the normal rooftop of a car, which therefore makes these very heavy vehicles, to some degree, unstable.

Another problem that occurs—and it will occur even more so with 53-foot trailers, particularly when they are travelling empty in the winter months—is when there are very strong crosswinds and there is some slipperiness on the highways. I know that the OPP detachment in Maxville, my home town, has told me on many occasions—and it is in your riding, Mr Speaker—that there is an area between Vankleek Hill and Casselman, of very open countryside where the wind blows pretty good in January and February, and many times some of these large trailers wind up in the ditch, simply because of slippery conditions and a windy day. Heaven forbid if a car happens to be in the way. That extra five feet will be providing all the more wind resistance, wind push which will create some additional problems.

I have a number of trucking companies within the riding that I very proudly represent—one of the largest in Ontario, Glengarry Transport Ltd, and several small trucking companies. I certainly thank the Harland Veinotte company for providing me with some information and the concerns that it has. They are headquartered at Morrisburg and I will read into the record some of the concerns that the operations manager provided me with some 12 months ago.

First of all, in 1988 this particular company "invested significant capital into new 48-foot vans. We do not desire that this equipment be rendered obsolete in less than a year," and that is understandable. They have moved more than 70 per cent of their loads at maximum weight in 48-foot trailer vans and therefore they cannot see why the additional five feet would be added, because to them, when they are already operating at maximum weight, the additional five feet is of no value.

Most loading and unloading facilities were designed for the horse-and-buggy combinations of the turn of the century, not 48-foot or 53-foot semitrailers—particularly, they specify, in the city of Montreal where a lot of their truckers haul to and from. "Trying to 'shoehorn' a 53-foot trailer into some of these facilities is not only impractical, it also presents a serious safety problem. Whole, busy intersections are often blocked in a driver's attempt to negotiate the entrance to a facility" where he has to deliver or receive goods.

"A move to 53-foot trailers would give more leverage to shippers, who (in my opinion) are already too independent.

With so many trucks in the marketplace, the shippers virtually dictate the rates and schedules. A carrier that couldn't or would not purchase longer trailers would be at a distinct disadvantage." These people have customers presently who specify 48-foot trailers despite the fact that a 45-foot or less could do the job.

So these are the problems as explained quite articulately by this trucking company in eastern Ontario. As I go back to my discussions with some of the independent truckers, it is of particular concern that their cost of operation is such that they are borderline; by changing the rules and allowing the longer trucks it will make it even more difficult for them to compete.

To the minister I say he must look at the safety aspect. With all of the magnificent engineering feats that we now have there has to be a way to at least reduce the splash that is so often prevalent, particularly in those areas of Highway 401 where there is some rutting that has occurred, probably in part due to heavy trucks and very heavy concentration of traffic, and where water, slush and ice accumulate during those winter months. Those are the areas where as these trucks drive through—the ruts are primarily in the regular operating lane, not in the passing lane—and those who try to pass those trucks are at a distinct danger because very often the visibility is nil.

I would think that there has to be a way to at least reduce the splash. You cannot eliminate it totally but I certainly think that with skirts of some sort all the way along the trailer it would then be in a position to prevent small cars from going right under the truck and decapitating people in the event of an accident. This so often happens and is so unfortunate because many of these accidents need not happen. There has to be a way to provide some safety mechanism which could both prevent splash and prevent small cars from winding up under these big, heavy trailers.

These are but some of the concerns that I have. I wished I had a tape recorder as I was speaking to some of the more vociferous and angry truck drivers along the highway after about the third day of their boycotting. It may not be parliamentary language but it makes for interesting listening, and I understand why they were very concerned and were expressing their concerns by paralysing transportation in Ontario.

Miss Martel: I am pleased to join in the debate this afternoon. I will not be speaking for a long time; I am sure the minister will be pleased to hear that. There are other of my colleagues who want to participate in the debate, and I am going to be taking myself down to Guelph where I can bash the parliamentary assistant for insurance at a nomination meeting tonight. I am looking forward to that with a great deal of pleasure.

1550

In any event, there are a couple of concerns that I do want to get on the record here this afternoon. This is an important debate. I hope that the widest possible set of public hearings will take place, because in talking to people in my riding, where we have big trucks running through a number of my communities—slurry trucks in this case, operated by both Inco and Falconbridge—there are a number of concerns from the public out there. I just have to look around at my own community in the last year and a half at some of the debates that have gone on at regional council, people who have come to my office, who have called, people who have had their windshields broken, who have yet to see a large slurry truck stopped by the police although everyone else on the road is being stopped when they are speeding, and some of those concerns are very profound. So

I hope that the hearings the minister has around this issue will not be short and sweet but in fact will give the public every opportunity to express their concerns.

I want to look at four bits of information here this afternoon: first of all, some of the concerns that municipalities will have and do have around this particular piece of legislation; second, my concern around safety and monitoring of compliance—my colleague the member for Lake Nipigon yesterday spoke at great length and provided examples that came from the auditor's report during an investigation into the ministry, but there are some things that I want to raise again in that context; third, questions of safety that go a bit beyond the monitoring of compliance that I want to raise, and finally a bit of a comment on what I think has been a reverse of the position taken by this government on this issue.

First of all, in terms of the concerns that municipalities have in this particular regard, I want to go back to a brief that has been put together by the Canadian Automobile Association, an automobile association that in fact represents some 1.3 million motorists in the province of Ontario. They have put together, from their reading of the public and their discussions with people, some of the concerns that municipalities like those in my riding have about this bill and the fact that not only do we have enough trucks on the road now, but they are very fearful about having longer trucks and bigger loads and the destruction that that is going to cause in the end.

Some of their concerns are as follows, and I want to read these into the record: "Larger trucks continually damage municipal roadways and neighbourhoods in the following way"—and I point out to the minister that in the case of the slurry trucks that are running in my riding, they are going right down through the middle of my community where I live, within about 50 metres of a public school with young kids all over the place. They go through three other communities, right down the centre of those communities. They are having a tremendous impact on households on both sides of the roads. In some cases, the distance between the street where they are moving, 24 hours a day, I should point out, and the household driveway is less than 30 metres. You have young kids and real safety concerns and serious problems in terms of damages that are being caused to households by the households actually physically shaking and the problems arising because of the destruction that is going on in the roadway system. That is a regional road, so the regional municipality of Sudbury is going to be responsible in the end for trying to figure out how it is going to pay for that. In fact, at this point in time it has an ad hoc committee trying to figure out what we are going to do with these trucks moving in our system 24 hours a day.

Some of the points that the CAA has raised are the following:

First, research has shown that for every 1,000 kilograms added to an 8,100-kilogram single axle, another 20% to 25% of road destruction takes place.

You only have to drive through our community on into Sudbury to see the kind of damage that has been taking place in the last number of months since the trucks have been on the road. There are a number of other trucks out there as well, so it cannot only be blamed on the slurry trucks, but certainly the perception of the public in my community is that they are by far and away having the more tremendous impact on the damage that is being done.

Second, the use of longer trucks would require major road improvements, bridge upgrading, sidewalk repair and resurfacing to urban roadways as a result of heavier trucks.

I listened to the minister speak yesterday to say that there would not be a direct correlation between longer trucks immediately becoming heavier trucks, and he used the example of Hostess Potato Chips. I would say to him that Hostess Potato Chips is not the only group out there running munchies around. In fact, there are a number of other big trucks out there that are hauling very heavy loads.

You only have to look in our community to see them hauling slurry to know what kind of concern that causes me and my community. They are already hauling tremendous loads. They already have to do half-loading, because last year, during April, they destroyed a whole part of the road coming just into my community, so the regional municipality had to put a half-load restriction on and had to go in there and have Inco and the other companies pay for the road repair of the damage that was done that weekend.

But in fact while munchies might be one of them and Hostess might be a group that will not make it any heavier, there are in fact others that are going to. That is the concern that I have if in fact some of the trucks that we are dealing with in Sudbury do become longer.

Third, traffic, vehicle and pedestrian mobility and the economy are affected when trucks are involved in accidents due to road and sidewalk closures and subsequent cleanup efforts.

Fourth, hazards are created for pedestrians near curb lanes as a result of wider turning ratios required by longer trucks.

We are already having a problem in the community that I represent, because in fact they are going right down main thoroughfares where there is great buildup in residential areas, where people are concerned about their kids if their kids are out on bicycles or out in the winter if they slip into the streets. There is a real concern, and I do not know that we have made every effort in fact to try to alleviate some of those concerns by putting into place larger curb lanes, better places for pedestrians to move so that they can get away from some of that heavy traffic that is going on at all hours of the day and night.

Finally, one large truck is already equivalent to 20 to 30 cars in terms of traffic flow. This comparison is only going to worsen with larger trucks.

There are concerns about municipalities, about the costs they are going to have to pick up in terms of road destruction, about what that is going to do. What does that mean to them to have even longer trucks going through the municipalities? What do the citizens in that municipality think about having their kids exposed to what they are going to perceive to be an even increased danger? Some of those concerns have to be taken into account by this minister. I hope the municipalities, whether it is the AMO's representative or others, do appear at the hearings to express some of those concerns that I know we have seen in my community.

I want to just add to that a little bit more in terms of road deterioration and actually quote some ministry sources in this regard. The quotations I am using come from a Toronto Star article dated 20 May called "Highway Scandal." It came about after a three-week investigation that the Toronto Star did into trucking, violations, monitoring of compliance safety, etc. The ministry's own staff said this. Elmer Merkley, compliance director for the Transportation ministry, says the following:

"Our structures (roads, bridges) are built to withstand it"—that is, increased weight allowances. "But, of course, if there is overloading, then there will be deterioration."

I will be talking about the deterioration and the overloading as I go on a little bit further. It says in this next paragraph:

"I don't know how extensive it is"—that is, the overloading—"but for the general industry it is a hell of a real problem. And if there is a tremendous overload, it can break up the roads real quickly."

That is a serious concern.

As I move into the next section, on compliance, you will see that that overloading issue is real in the province of Ontario, that in fact what the Toronto Star group found when it was doing this is that there is a real problem that even the industry admits to going on out there.

My colleague yesterday talked about some of the information that the auditor had provided. I want to deal only with the information from this particular article. My concern is this: There is evidence now that the legislation and regulations that are in place to try to enforce some measure of safety in this province are in fact not being complied with. That is not to say all truckers are out there trying to break the rules, because of course they are not, but there is certainly evidence that there are safety factors that we as a population should be awfully concerned about.

In my humble opinion, making trucks that much longer is just going to increase those problems, because I think there will be longer trucks with bigger loads and there are going to be more trucks out there. I am not convinced from what the minister said yesterday that it is only going to be Hostess, it is not going to be a general problem of heavier loads and in fact there is now going to be less traffic. I just do not believe it—not with free trade and the deregulation that we have seen in the province. There has been a steady increase in the trend of trucks on our highways and I think that is only going to continue.

Let me go into this article and talk about some of the problems in compliance that we are already having that have to be dealt with before you can even begin to think about putting longer trucks on the road. There are a couple: problems with drivers, for example, using weigh stations as they are supposed to. The group that did this from the Toronto Star said the following: Weigh stations "aren't open all the time and, when they are open, word spreads through citizen-band radios. When Ontario realized how easily, and how often, truckers bypassed the stations, it started the mobile enforcement units."

Now you have 358 people who are out there from Transportation driving along those highways trying to pull those people off because those drivers are not pulling themselves off when they are supposed to in order to go into weigh stations and have that load weighed properly.

The way they started off the article was talking about one such ministry official by the name of John Bureau, who in fact on his travels out there, going down the highway, pulled off two dump trucks because even in looking at them he knew there was a problem in terms of weight. He pulled them off, and sure enough on this day both dump trucks were guilty of violating Ontario's weight limit loads, one by 3,500 kilograms, or 7,700 pounds, and the other by 4,500, almost 10,000 pounds. That is pretty significant.

1600

Mr Pouliot: What kind of fine did they pay?

Miss Martel: My colleague the member for Lake Nipigon asks, "What kind of fine did they pay?" A fine of \$53.75, and it is not much of a deterrent, in my humble opinion, for people to get off the road. I think most companies in the province probably consider that a cost of doing business, and I think if you look at what the comments were from the two people who got pulled off, that is exactly the problem.

The first person, who was the truck driver fined, said the following, "My company got 50 tickets in the past two weeks for overloading," says one, after admitting that the risks of driving an overloaded vehicle scare him." In the last two weeks, 50 tickets. What kind of problem is out there? What does that tell you? There are people who are violating that.

Now, it may not be the drivers. They may be told by their employer that they have to do that. In the case of the second driver, that is exactly the case. "Well, what can we do?" responds the other. 'If we complain that the load is overweight, we're told to go and look for another job.'

Those are the kinds of pressures on those people out there in the industry at this point in time, but they are real pressures and real concerns and what you have are real violations of regulations and legislation that is supposed to be in place to protect the public in Ontario. We are seeing, just from the article alone, that those are being abused or they are being waived and in fact employers are just thinking that the tickets are a cost of doing business in the province and it is not worth their while to carry the full load when in fact they can only pay a minor amount of a fine and carry an extra load and reap the benefits of that as well.

The problem with the fines was even in fact agreed to by their own ministry official, who said: "The deterrent effect of the fine structure is questionable.... Fines do increase on an incremental scale, but the increments don't actually kick in until the overweight load is in excess of five tons."

Just to add to that: "Even so, truck operators often do their best to avoid getting weighed. One veteran driver, who requested anonymity, says he worked for a company that actually wrote on its shipping orders, 'Bypass truck inspection stations.'"

So there is a problem out there and it has not been resolved and my fear is that it is only going to get worse when we get bigger and longer and more trucks on the highways in this province.

I am just looking at some of the convictions that the OPP laid last year against truck drivers for overloading. In fact, it says in this particular article: "Last year, ministry enforcement officials"—sorry, this is Ministry of Transportation—"laid more than 24,000 charge against truck operators for overloading. It had a conviction rate of 100%."

Well, you cannot get much better than that. Yes, they are out there doing their job, but how many more are they missing? How many other inspectors is the government going to put out there? It is the same as the health and safety legislation. You cannot have an inspector for every workplace in the province. You have got to hope that people are going to regulate themselves, but it is obvious they are not, and you are not going to be able to have one inspector for every truck operating around the province of Ontario because there are 100,000 licences for heavy trucks now. But there is a problem and the minister has got to admit there is a problem.

The OPP said the same thing: "Superintendent Gary Wood, director of traffic for the OPP, says his officers laid 10,000 charges against trucks last year. But this also includes speeding violations and charges for defective brakes."

Unfortunately, there were no separate figures available for overloading violations, and I would be curious to see those kinds of statistics, because I think that will tell it all.

So there is a severe problem in terms of enforcement right now in terms of monitoring the compliance, and I fear that if they cannot put more inspectors out on the road to do that—and I do not know how we can afford it in this province in any

event—then they have to take seriously what it means if it is going to make trucks that much longer, carrying that much bigger loads.

Third, just a question of safety: What is really going on on our highways now? I know my colleague the member for Lake Nipigon yesterday talked about some of the statistics. There was one here, in case he did not read it into the record, from a rail union that talked about Highway 17: "All four people killed this month"—that is in April 1990—"on Highway 17 died in collisions with big trucks. If the trucks get bigger, common sense suggests the risks will grow and statistics will get worse."

They say another interesting thing: "Truck drivers are very safety conscious, but it is not a matter of how safe truckers are. The problem lies in incompatibility of the two main user groups."

I have to say that I agree with that perception. I know how I feel on the rare occasion I will drive my car from my riding in Sudbury East along Highway 69 and come here to Toronto, or if I go back the other way. I will tell members it is the scariest feeling to be on that highway, because it is not double-laned after you get past Highway 400 and Honey Harbour. You are talking about portions that do have some passing lanes, but they are totally inadequate, and considering the curves and turns and twists on that road, I am absolutely petrified of trying to pass a big truck on that highway. The truck moves over. You do not know how long it is going to stay over there. You know you have got to really gun it to get by. You do not have any idea if they are going to move back in because the turn suddenly becomes too sharp for them, or you have got other access roads on there and people starting to come out and move on to the highway. It is the worst time trying to travel on that road, and I know I am not the only one who is fearful of travelling on that particular highway, and that is a reality.

It is one thing to have huge trucks out there here on Highway 401 or on other southern Ontario highways that are double-laned, but it is a totally different matter to try to operate in northern Ontario. Highway 17, for example, is a single lane, or in the case of Highway 69, for example, you have only got passing lanes which are totally inadequate to allow the traffic to move. I think that is a serious concern. I think before they allow any kind of a longer truck, which is only going to make more difficulty for us to get by them, they have got to take into account the fact that the transportation system in this province is not adequate.

I am being given the signal to be quiet. I am almost done. One more moment here, I say to my colleague the member for Lake Nipigon. He went for an hour and a half yesterday. I do not know why he is hassling me now.

In any event, just two more things. There is a real perception of safety problems and I do not think the minister is going to be able to undermine that, regardless of the studies from his ministry, from industry or from anywhere else.

I go back into my own riding and use the fear that people have with the slurry trucks. They do consider them to be monster trucks. Whether the minister likes it or not, they do, and there is a fear in the people in the community, a fear for their own safety, for their kids, for their kids getting off school buses and crossing the road. I have yet to see any of them stopped, but I certainly know they are going far and well beyond the speed limit when I tend to follow them, which I do, because they go right through my community, and there is a real problem in terms of perception of safety that the government is not going to get away with. People will, whether they

like it or not, perceive that the safety risks are going to be increased when you start to increase the length of those trucks.

Finally, if I just might make this last point, I am concerned as well about the reverse in the position that this government has taken on the issue. The former Minister of Transportation was opposed. Cabinet was opposed to this particular legislation. It has been said that the present minister has been opposed to this legislation as well. I do not know who got to him on the road to Damascus to have him change his mind or change his name from Bill to Saul, but in any event I think the minister might want to explain to us when he wraps up today how it is that this government now accepts this particular piece of legislation. There was evidence, and not long ago, that in fact the government was opposed. I cannot see that there has been any upswing in the general population to accept longer trucks, so I have to ask, where did the change of heart come from and why?

With that, I will conclude my remarks.

Mr Wildman: I rise to participate briefly in this debate of this free trade legislation. I call it free trade legislation because we know that the provincial government, despite its long-touted opposition to the free trade deal, which has amounted to a hill of beans when it came down to the crunch, has brought in this legislation so that it can have regulations for the size of trucks in line with American states. This goes along with the deregulation that this government brought in for trucking in the province to develop what the Americans call a level playing field for the transportation industry in North America.

Ironically, in that area, of course, many American states have not followed through, and as a result, the playing field is tilted in favour of the Americans. The minister may not like that, but I am sure he heard that argument put to him when he was in Windsor talking to the truckers who blockaded the border. Truckers in Ontario are having a very difficult time competing because of the very unfair competition they have to meet from the Americans and this legislation for longer trucks in Ontario is not going to make the situation any easier, particularly for the independent truckers.

I want to say, though, that as a northerner, someone who represents a very large northern constituency along Trans-Canada Highway 17, I am very concerned on the basis of safety about the provision for 25-metre trucks. North of Sault Ste Marie, because of the topography, Highway 17 is a very dangerous highway even in the best of conditions. When you couple that with the fact that during the winter we have enormous snowstorms coming off the eastern shore of Lake Superior and the fact that much of the traffic along Highway 17 north of Sault Ste Marie is truck traffic, you can understand my concerns for safety.

1610

Right now, we have so many hills and curves on Highway 17 that with transport trucks at their current size we often have near misses and accidents, because drivers get impatient following trucks that have to climb hills and of course lose speed and they wish to turn and pass. They take chances, often on curves and hills, when they should not.

This is even compounded when many of the truckers, particularly at night, travel in convoys of three, four and up to ten trucks. If you happen to be driving a passenger automobile behind one of those trucks, or even worse, behind one of those convoys, in a snowstorm, you will understand my concern about safety. It is impossible to see. There is absolutely no visibility if you are in a passenger vehicle. If you are in a truck following a truck, you are higher up so you can see better, but

with the glare of the lights on the blizzard of snow that the truck produces, it is impossible to see. This situation is just going to be worse if we have longer trucks.

The minister shakes his head. I would like to know how he knows it is not going to be. It is certainly not going to be better.

I know the minister has argued that longer trucks do not necessarily mean heavier trucks. I recognize that the weight regulations are related to axle weights. The number of axles on a longer truck will determine how the weight is distributed. I understand that. But the fact is, and it has been raised in this debate on a number of occasions, we have a serious problem with enforcement. I am not being critical of the minister's staff, but the fact is it is a bit hit-and-miss. There are too many trucks on the road that are violating the axle weights now, and in my view that is just going to be compounded when we have longer trucks on the highways.

I recognize that many truckers, particularly logging truckers, have problems. It is very difficult to meet the axle weights now if the load is loaded in the bush where there is no access to weigh scales. So it is a guesstimate. It depends on how warm the weather is or how cold the weather is, how wet the road is in terms of guesstimating the actual weights. I know there is some leeway given, but not a great deal, if one of those trucks has to cross a weigh scale.

Many independent truckers have such a difficult time meeting their payments that they have to work long hours, even with the new logbook regulations. They spend their so-called days off on weekends making repairs to their trucks. Their margin of profit is so low now that some are tempted to flout the regulations, and some do.

Some trucks, too many trucks, are overweight or the weight is not properly distributed on the axles. Perhaps even the safety and mechanical regulations are not adequately adhered to. Fining these people means we have to find them first. Sometimes we do, and I commend the ministry staff for their work, but often we do not.

It is dangerous enough following in a passenger car one of these trucks or a convoy of trucks if they are in top-notch condition, if they are adhering to the weight regulations, the load regulations. It is doubly dangerous if a passenger car is following one of these trucks that is not adhering to the regulations. That situation, in my view, can only get worse.

I will say this in conclusion. Despite the minister's position, I can tell him clearly that on highways like Highway 17 in northern Ontario, people driving passenger automobiles, particularly at night, in bad weather, are going to face a more dangerous situation with longer trucks because too many passenger vehicles will be driven by drivers who are impatient and who are not willing to wait interminably, driving behind a truck at 30 or 40 miles an hour. They are going to pull out and try to pass a long line of traffic when it is not safe, because the straight stretch is not long enough or there is not a flat enough area. It happens already. It is hard enough to get around a transport safely now on our highways. I am talking about two-lane highways in northern Ontario. If you have to drive farther to get around them, it is going to be even more dangerous.

I cannot see how the minister can in any way argue against that. How he can assure us that it is not going to be more dangerous in passing a longer truck or a convoy of longer trucks on a two-lane highway is beyond me. We should be doing all we can to encourage freight companies to use other methods of transporting their freight.

I will just conclude by saying that one time a woman said to me, after having driven a long distance on Highway 17 behind a

lot of trucks—and there is a lot of truck traffic on the Trans-Canada Highway—“Wouldn’t it be nice if we had a road for trucks?” I said, “We do already; it’s called a railroad.”

This legislation is going to make it more dangerous for the passengers in passenger cars in the province. It is going to make it more difficult for small, independent truckers to compete. I cannot see any reason on earth why this government is determined to pass this legislation, other than as a way of caving in to the federal Tory government and the United States government on free trade.

Mr Morin-Strom: I appreciate the opportunity to be able to speak in this debate on Bill 96, An Act to amend the Highway Traffic Act. This is a very short bill but it poses very real and potential dangers to the driving public in the province of Ontario.

This bill proposes to add larger trucks to the roads of Ontario, increasing the maximum length of trucks from 23 metres to 25 metres. It was only a couple of years ago that the government moved to increase truck lengths from 21 to 23 metres. This further movement poses additional threats to the drivers of this province at a time when this government has been remiss in its duty to maintain the roads of the province, to see the kinds of improvements we need on those roads so that drivers can feel secure in their driving on the highways.

This is particularly an issue for those of us who represent communities in northern Ontario, because in the north we have no choices. We have to drive on two-lane highways. The kinds of major freeways that exist in southern Ontario, throughout the United States and are accepted as a world standard right across the world do not exist in northern Ontario. The Trans-Canada Highway is a disgrace when it comes to the Ontario portion of it.

1620

Most of the Trans-Canada Highway outside of Ontario has been four-laned, but that is not the case in the richest province in this country, the province of Ontario. That highway, which is the only major link for drivers, and in particular for the transport of goods and services across Ontario, connecting with the western provinces, is not a four-lane highway. The kinds of trucks we are talking about are forced to cross our province using that two-lane Trans-Canada Highway, and that poses very real risks to the people of Ontario.

I have received a number of communications expressing serious concern with regard to this piece of legislation. We have got detailed packages of information expressing the concerns of the Canadian Automobile Association and of other associations across Ontario. In particular, the Hamilton Automobile Club has written to me and other members expressing the fact that it has contacted and received information on strong opposition from many different organizations and individuals across the province.

Mr Kormos: Why will the Liberals not listen?

Mr Mackenzie: They never do.

Mr Morin-Strom: This government listens only to its friends in the business community. It is not listening to the drivers of this province, and it is not taking into consideration the concerns of organizations such as the Association of Municipalities of Ontario, the Ontario Provincial Police, the Ontario Good Roads Association, the Canadian National Railways, medical practitioners in the province, the Municipal Engineers Association, the Council on Road Trauma, the Teamsters union that represents most of the drivers of trucks in

the province, the Northern Ontario Tourist Outfitters Association, Transport 2000 and others.

Mr Kormos: Regional Niagara; city of Cambridge.

Mr Morin-Strom: My colleagues and I have all received communications from various interested parties. I would like to read a letter from one up in my area. This is from a small businessman who lives just outside of Sault Ste Marie, in Desbarats, who wrote to express his serious concerns because he uses the Trans-Canada Highway on a regular basis. He wrote:

“Dear Mr Morin-Strom:

“I must really applaud the excellent stand I have seen you take in the House against the murderous desire of our government to put longer trucks on these northern Ontario roads.

“The minister involved, obviously trying to gain the truckers’ goodwill for future votes, is doing so at the expense and the safety of the private car driver.

“I drive regularly between Desbarats and Sault Ste Marie and am able to assess the driving habits of truckers. I can assure you that although at one time they were considered the ‘Knights of the Road,’ that is no longer the case. I have been tailgated, passed on double lines, passed in dangerous places in bad weather, have had my windshield completely covered in mud by trucks passing at far above the speed limit.

“In fact, it appears to me that the speed limit is just a joke to most truck drivers and they never seem to be stopped by the police, no matter at what outrageous speed they are travelling.

“I do not wish to be critical of our police force who, in general, do a fine job, but I do wish as much attention could be paid to the truck drivers as seems to be paid to the private motorist.

“Please keep up the excellent work you are doing in Parliament to prevent trucks from being even more dangerous on the roads than they are now.”

When it comes to our highways, and in particular the Trans-Canada Highway, we need the improvements to that highway before we see a government embarking on creating more hazards for the drivers across northern Ontario. Just to illustrate the kinds of hazards we face, I would like to point out one of the most serious statistics, the statistics on fatalities in Ontario. The most recent annual data on Ontario road safety show the difficulties of drivers in northern Ontario, and particularly disturbing is the fatality rate in the north compared to southern Ontario.

In the last year that data were available, across southern Ontario there were 13.2 fatalities per 100,000 population in the south. That compares to northern Ontario, where fatalities were 19.3. On those kinds of highways, northerners are facing a fatality risk 46% higher than residents of southern Ontario.

The big trucks from western Canada connecting with Ontario and Quebec have to drive those highways across the north, and until those highways are improved, there is no way that this government should be proceeding in putting more risks on to those highways for the driving public.

The kinds of risks with respect to fatalities are right across the north, covering every district, with one exception, the only exception being the Sudbury regional municipality within the city limits of Sudbury, which has a fatality rate comparable with the south.

You can go to district after district. Algoma district has a fatality rate of 21 per 100,000 population, in comparison with a fatality rate of 13 in the south. In Cochrane, it is 16 per 100,000. In Kenora, there are over 52 fatalities per 100,000 people in the area. In areas like Manitoulin and Parry Sound as

well, there are rates of over 50 per 100,000 population, areas of very high risk as a result of the inadequacy of the highways in those areas.

That is where this government should be focusing its attention, not on this kind of sellout to the major trucking firms and the opening up of further deregulation across Ontario and the opening up of our doors, in fact, to the larger trucks which already exist in the United States and our trucking firms do not have at this point. In fact, this whole legislation is consistent with where this government has gone in terms of selling out the trucking industry in Ontario and selling out the drivers of Ontario, both the regular driving public as well as the drivers who are earning their living working for the trucking firms in Ontario.

We know that the major union representing truck drivers, the Teamsters union, is opposed to this legislation. It disagrees quite strongly with the minister in terms of what this is going to do for the competitiveness of Ontario industry and the opportunity to be able to keep jobs here in Ontario.

Surely this government has to recognize the kinds of concerns that the government has received, as well as us, from an organization like Transport 2000 Ontario, which has expressed its serious concern about the dangers that this kind of legislation poses for the drivers of this province.

I would ask the minister that this bill go to committee for serious study and public hearings over the summer months. It is essential that the public across this province have the opportunity for input into this legislation so that we can make the kinds of improvements and have the recognition of the kinds of transportation system that we need right across the province.

This kind of legislation, which poses risks without any rewards to the drivers of this province, must be opposed by our party and we will do so now on second reading. We do not need and we do not want monster trucks on our streets and highways. Our highways are dangerous enough today without the government allowing another two-metre increase in the length of trucks in Ontario.

Just a month before introducing this bill, the Minister of Transportation said that he would not allow the extra-long trucks because of safety concerns, but I guess safety concerns do not matter when the Liberals want to make political points at the annual convention of the Ontario Trucking Association. The minister has no excuse for this flip-flop that is a direct threat to the driving public in Ontario.

When we have transport trailers that cannot manoeuvre on approved city street trucking routes, when we have highways that are being wrecked by the massive trucks already on them and when we have a two-lane Trans-Canada Highway as our major national trucking route, how can this government propose that the rolling monsters be even bigger? Surely our lives and our enjoyment of life are more important than just how much additional stuff can be jammed into a tractor-trailer.

I would ask the Liberals to just consider the general public before they act. The Canadian Automobile Association argues that longer trucks endanger the lives of ordinary drivers. The OPP says that they will make a bad situation even worse. People to Reduce Impaired Driving Everywhere, the organization dedicated to make driving safer, says this is just plain crazy.

1630

Mr Kormos: Why won't the government listen?

Mr Morin-Strom: This minister has to listen. The public has to be heard on this. I look forward to public hearings over

the summer on this and ask that the minister listen very closely to what the public says to him at that time.

The Deputy Speaker: Questions and comments on the member's statement?

Mr Kormos: This government has heard from numerous sources including the city of Cambridge which passed a resolution condemning this legislation, and I tell members the regional municipality of Niagara on 15 February endorsed the position taken by the city of Cambridge. It has heard from municipalities and regions across the province. It has heard from good people like Dr Wilson in Welland who writes to the minister with his concerns, he as a driver knowing full well of the hazards of these monster trucks.

The question to be posed once again is, why will the government not listen, but rather insists on proceeding with legislation that is going to create more fatalities?

Hon Mr Wrye: Mr Speaker, I would like to make a few remarks on the comments by my friends from both parties. I look forward at the outset to the opportunity to hear the debate proceed in committee on this very important piece of legislation.

I must say that I hope all of those who are involved in the trucking industry, whether they are drivers or company owners or anybody else involved in the industry, have an opportunity to read and hear this debate because members of all parties—I certainly endorse that—have spoken quite passionately at times about the need for safety, about the need for truckers—many of whom my friends in the New Democratic Party stand up and support in one breath and then condemn in the next—to maintain and abide by the speed limits of this province and to maintain and abide by the other laws of the road of this province.

I think if that small handful of truckers who do not abide by the laws of this province would do so a little more, then perhaps, as I believe it was my friend the member for Sault Ste Marie said, we can once again call the truckers the knights of the road.

There are a number of points that have been made and I have tried to gather a few of the highlights which I will deal with in my response, and then perhaps as we go forward in committee we can deal with a number of the other issues.

The first issue, which has been repeated a number of times, is how can there be less trucks if they are going to be longer and they are going to be of less weight. I tried to explain it in the first instance and perhaps I will try once again. I am sure my friend the member for Lake Nipigon who is a very learned individual and put on really quite the performance in this place—he was a little short on facts, but for style I would give him about a 9.5 out of 10, about a 3.5 out of 10 on his use of facts but very, very high marks indeed for style.

The maximum weight allowed—I am going to try this once more and I guess I will have to try it a lot of times in committee—is 63,500 kilograms. The limit is not being changed. The bill is providing a new class of commercial vehicles, a 53-foot trailer, which will not be allowed to come close to carrying 63,500 kilograms. By limiting the number of axles to three—something my friend the member for Algoma understood—we are actually reducing the theoretical maximum to 53,000 kilograms.

Who other than potato chip companies will use these new vehicles? Companies such as Canadian Tire, Sears, etc, now carry loads that are about half the maximum weight. With greater volume they will simply be able to fill up their vehicles with additional volume, and in the case of Sears it has already

put on the record that it expects to use about 10% less—I will underline that word, less—trucks on the road than it has now.

My friends in the New Democratic Party who have carried on at such length about trucks on the road apparently want to ignore that fact. Perhaps in committee they will have an opportunity to discuss how it can be consistent. Indeed, because of those companies that are going to be able to attain less volume and still not go over or even near the maximum weight, we will be able to reduce the number of trucks on the road.

My friend—I will put it on the record; he is not here—the member for Simcoe East noted sections 6 and 7 of the bill in which we have a minor amendment of the number of the weight of kilograms in different classes of vehicles. This is simply a minor amendment to bring it into conformity with the Roads and Transportation Association of Canada recommendations.

Very briefly, a number of members from the New Democratic Party have suggested the OPP are against Bill 96. The reality is they are not. Let's put that on the record. Nobody from the OPP has officially taken a position, any kind of official position against Bill 96. I hope my friends in the New Democratic Party will either acknowledge that fact or will not continue to repeat it. I think, as we go on and we go forward in this debate on a very difficult issue, it would be nice if, as we went forward, we went forward putting facts on the record, not interesting points of view that are not factual at all.

My friends in the Conservative Party particularly, and my friends in the official opposition, spoke about the University of Michigan Transportation Research Institute and the study that particularly the official opposition said raised concerns about the 53-foot vehicles. I am delighted the members of the Conservative Party raised it because there was a study that was brought forward out of that great university in Ann Arbor. As a result of the study, which was some years ago, the Roads and Transportation Association of Canada, RTAC, looked at the study, implemented the recommendations of the study, and as a result of that we have the lower weights, the lower maximums that are provided for in the bill. We have vehicles which, because of the University of Michigan work, will take no additional turning distance. Indeed, we have the kinds of issues, which my friends in the opposition parties addressed as if they have not been looked at, that will indeed limit infrastructure damage, will make it no worse. Given the numbers of trucks on the road and the fact that the 48-foots continue to have 63,500 kilograms will not make it a whole lot better, but vehicle manoeuvrability will not be a problem.

Mr Pouliot: Who says?

Hon Mr Wrye: My friend the member for Lake Nipigon wants me to be brief, but I could go on and on and give him some real detail of the University of Michigan study.

Mr Pouliot: Please do.

Hon Mr Wrye: In accordance with the RTAC recommendations—no, I will not go on and on, but in committee we can.

In terms of northern Ontario, and there were a number of speakers on northern Ontario issues from the official opposition, there was concern that allowing larger trucks is not appropriate because of highway deficiencies. There is no doubt, and I think the speeches are a reflection as much as anything, of the conditions which currently exist and which will not get worse. They are a reflection of an area of the province in which the conditions can be extremely difficult and which call for care and concern on the part of all individual car drivers, and truck drivers particularly, which will ensure that the people of the north can drive every bit as safely.

I acknowledge the comments of my friend the member for Sault Ste Marie on the fatality differential. I do not think, given the very difficult climatic conditions in the north, that matter should come as any surprise. It is very disappointing, very discouraging, but it is not surprising and it is something we must work on. But to then leap to the conclusion that 53-foot trucks will in any way worsen that issue, which has to be dealt with in different ways, or that the statistics from western Canada somehow make the opposition's case, is just wrong.

The fact of the matter is that the traffic levels along the Trans-Canada through northern Ontario are similar to or lower than traffic levels in the western provinces, where the 53-footers have been in place for several years in following RTAC.

1640

My friend suggests there are four-lane highways, another great myth. The reality is that in major parts of western Canada there are, as you know, Mr Speaker, no four-lane highways. In northern Ontario there is an average daily traffic of 3,700 vehicles, average daily trucks of 629. If you go to the Saskatchewan border you have 1,931 vehicles, but only 50 less average daily trucks. If you go to Alberta you have 280 more—902.

While it makes for a very good speech—in the case of my friend the member for Lake Nipigon really quite a performance, really quite sterling stuff—the reality is, as in so much of this, that the facts simply get in the way of the interesting points of view being made over on the other side.

In terms of inspections some of my friends suggested there were not many inspections. My good friend the member for Sudbury East suggested there were. The reality is we have 360 inspection officers, more than any jurisdiction. When one takes into account the number of trucks compared to other jurisdictions, we still have more than any other jurisdiction. In 1988 we had over 48,000 safety mechanical inspections and in 1988 we had a total of 55,000 charges.

The other issue the honourable members would want to know is that the fines under those charges are not the only sanctions against truckers and trucking companies. Any fines, whether it be weights or anything else, go on the commercial vehicle operator's registration record. Eventually, the final penalty under CVOR is to have licences pulled. That has not been in place for very long, but I can assure all honourable members that we are at the very serious warning stage with several hundred individuals. We do not intend to tolerate overweights, we do not intend to tolerate unsafe drivers, and quite frankly we are not far from seeing some of those very unsafe individuals have their licences pulled so they will no longer threaten you or I or anyone else, Mr Speaker, on the roads or highways.

Finally, a number of members in the New Democratic Party have one way or another suggested that there was a change in the point of view of this government, and that is true. I acknowledged it in my opening remarks. The government had taken a position after the memorandum of understanding was brought forward that Ontario would not in the first instance implement the longer-length legislation or the longer-length aspects of the MOU because of concern over the fact that the National Safety Code was in place.

It was after careful review of the position that we had reached in terms of the National Safety Code—hours of work, facility audits, pre-trip inspections and a number of other things—that we decided the timing was appropriate, that safety could be—

Mr Laughren: Free trips where?

Hon Mr Wrye: Pre-trip inspections, I say to my friend from Nickel Belt who has been known to want to travel, but we are talking about different kinds of trips.

I want to put on the record a brief comment from the speech that everybody is so fashionably quoting so that we could just have on the record what was said in the speech. I said in that speech in late October to the board of trade:

"On the subject of uniform weights and dimensions, as you know, RTAC completed its study in 1987 and the minister signed a memorandum of understanding in 1988. We are in the process of implementing that memorandum to work towards standards that will be more uniform and still provide greater safety. I recognize that there is considerable interest in the industry regarding extending the overall length measurements in the MOU from 23 to 25 metres and trailer lengths from 48 to 53 feet. While I continue to be concerned about the potential safety implications of changes such as those, I welcome further discussions on the subject." "Concerned," but no one said "opposed."

I realize that those matters are sincerely held for the most part and I certainly want to make it very clear that after careful review the government decided it would move in a new direction that would bring us into a situation where our lengths would conform with those of other jurisdictions, not just, as one of the speakers in the official opposition said, with those in the United States, but those in four western provinces, those in Quebec and those in, yes, I think a majority of states in the union, including those surrounding Ontario.

I am going to close this by putting one other concern on the record. I do so with some trepidation, but during this debate I heard something I did not appreciate from one honourable member. In his speech yesterday, the member for Hamilton East said, and I am quoting from Hansard: "Did the minister somehow or other stop and talk to hundreds or thousands of drivers"—fair comment—"the vast majority of whom would have said no to this legislation, or did a handful of trucking company executives get to him and convince him to change what he had made as a commitment to the automobile club just two weeks earlier? I think that is a legitimate question and not a nasty question. It is one that obviously has to be asked. The minister is not listening to the thousands; he certainly was listening to a very small number."

Then he added, "I ask the minister, what did they offer to get his support?" The answer to that honourable gentleman, who has been around this place long enough to know that an honourable member should never suggest to an honourable member and impute the kind of motives that were suggested here, is that nothing was offered and no further meetings were held. I hope that will be the end of it.

I hope we can proceed with this legislation.

Mr Pouliot: On a point of order, Mr Speaker: Standing order 23(i), among others, will attest that talking about imputing motives—I must, with respect, I cannot sit idly by and have a distinguished colleague who has just walked in maligned. There was nothing wrong in the context and if the minister reads Instant Hansard—

The Deputy Speaker: That is a different opinion.

Mr Pouliot: Nobody is saying that anyone is buying anybody else. We do not do that in this House.

Interjections.

The Deputy Speaker: Order. Could I have the attention of the House, please.

1707

The House divided on Mr Wrye's motion for second reading of Bill 96, which was agreed to on the following vote:

Ayes—47

Adams, Ballinger, Black, Bossy, Brown, Collins, Callahan, Cleary, Curling, Daigeler, Dietsch, Elston, Epp, Faubert, Fleet, Fontaine, Haggerty, Henderson, Kanter, Kozyra, LeBourdais, Lipsett, Lupusella, Mahoney, Mancini, McCague, McLeod, Neumann, Nixon, J. B., Oddie Munro, O'Neill, Y., Phillips, G., Ray, M. C., Reycraft, Roberts, Smith, D. W., Smith, E. J., Sola, Sterling, Stoner, Sullivan, Velshi, Villeneuve, Ward, Wilson, Wong, Wrye.

Nays—13

Allen, Bryden, Charlton, Cooke, D. S., Grier, Kormos, Laughren, Mackenzie, Marland, Morin-Strom, Philip, E., Pouliot, Wildman.

Bill ordered for the standing committee on resources development.

Mr Jackson: On a point of order, Mr Speaker: As you will note from Hansard, I was not present in the House for this vote. But I want to advise the Speaker that as I left my office with 10—

Mrs Sullivan: You should have been here. The rest of us were here. There was lots of time.

Interjections.

Mr Jackson: Mr Speaker, the electronic Hansard reporting on our television screens indicated we had 12 to 13 minutes remaining before this vote was called. I would like you to look into the matter to determine why that happened and why members were not advised accordingly.

Hon Mr Ward: Mr Speaker, I would like to seek unanimous consent to revert to private members' public bills.

The Acting Speaker (Mr Cureatz): Do we have unanimous consent to revert to private members' public bills?

Agreed to.

ONTARIO FOOD TERMINAL AMENDMENT ACT, 1990

Mr Sterling moved second reading of Bill 167, An Act to amend the Ontario Food Terminal Act.

Mr Sterling: Many members in the Legislature may not realize it, but by reverting to this bill we are in fact setting a new precedent in this legislative chamber for other committee chairmen to bring forward legislation on behalf of their committees.

This is the second bill which has been carried or brought to this Legislature for second reading by a committee chairman on behalf of a committee. The first effort was brought forward by the member for Waterloo North on behalf of the standing committee on the Legislative Assembly, and he utilized his private member's hour for second reading. That bill was called for third reading as well.

Both of these bills, the bill that the member for Waterloo North introduced on behalf of the Legislative Assembly committee and the bill that I am introducing today, Bill 167, An Act

to amend the Ontario Food Terminal Act, had the unanimous consent of all members of the committee. They were done in full consultation with all parties; so there was no effort at any stage of the process to try to politicize the particular debate.

Bill 167 is An Act to amend the Ontario Food Terminal Act, which was first passed in 1946 and which has not been amended since that time. The purpose of the act in 1946 was to set up a wholesale food terminal in the York and Peel counties area because no one at that time was interested in setting up a wholesale food operation. The Ontario Food Terminal, since that time, not only has had the ability to carry on business but has also had the ability under sections 12 and 13 of that act to exclude others from carrying on business in the regional municipality of Peel and the municipality of Metropolitan Toronto.

In 1979 the standing committee on procedural affairs, which was the predecessor to the standing committee on government agencies, recommended to this Legislative Assembly that section 12 of the act be repealed. Again in 1988, the successor to the procedural affairs committee—the committee on government agencies, which I now chair—also recommended the repeal of section 12.

Since that time, since 1979, the government, through not having sufficient time in the Legislature or on its list of priorities—neither the previous government, the Progressive Conservatives, nor the present government—did not see fit to bring forward this piece of legislation. Perhaps that is understandable because it deals with a relatively small matter in terms of the whole provincial scene which we deal with on a day-to-day basis here in the Legislature.

Therefore, the committee asked me to present this bill on its behalf. I would like to thank the many members of that committee and in particular the member for Port Arthur and the member for Etobicoke-Lakeshore for their participation in bringing this process about.

It is my hope that, in the future, committees which deal with matters will not only submit to the Legislative Assembly a report of their findings but, if in fact the committees can come to a conclusion in a legislative form, they will recommend to their chairmen from time to time to introduce legislation on their behalf.

I want also to thank the government House leader, who has put this bill in place in terms of calling it this afternoon when there was no obligation on the government to call this piece of legislation.

I think it introduces a new and exciting concept not only for the chairs of committees but also for the members of committees to believe that they do have an opportunity, when they see it arise, to change the laws in this province. I think it will become successful only if in fact it is done in full and open consultation with the appropriate government ministries that are involved. I was directly in contact with the Minister of Agriculture and Food, who was very supportive of us bringing this legislation forward.

1720

The content of Bill 167 simply does this: It removes sections 12 and 13, which deal with giving a monopoly to one board to run a wholesale food terminal in the three regions which I mentioned before. By wiping out sections 12 and 13, what we are doing is saying that competition can exist in York, Peel and Metropolitan Toronto and that we no longer need to give that monopoly to this particular group or this particular

location. It probably will serve the public interest to allow competition to enter into that field and that area.

Again, I would like to thank the members of the committee, the Minister of Agriculture and Food and the government House leader for co-operating in this endeavour.

Mr Cleary: The Minister of Agriculture and Food supports Bill 167.

Mr J. B. Nixon: Mr Speaker, I tried to rise earlier but you did not see me.

I just want to say I think it is a great moment in the Legislature, first, when a committee under the guidance of the chairman, the member for Carleton, is bringing a new dimension to the Legislature's activities, when a committee is actually doing something, bringing something forward to the full Legislature, as so many backbenchers would like to see the Legislature operate. Second, and just as important, I think it is a matter of public policy which the committee, the chairman and the ministry have worked on together to change a small but important principle that no monopoly in this business, particularly the food terminal business, should exist and that competition should exist. There should be a market and people should be allowed, as a matter of right, to engage in that market. I think it is a good thing.

Mr Kozyra: This is rather impromptu because I was not prepared for this coming forth today, but I have a few comments. I sit on the committee and I am very appreciative of the work that the chairman, the member for Carleton, has done on this private member's bill. I think it is something that is worthy of mention in terms of the fact that it recognizes the changes that have come about in Ontario, specifically around what we call the greater Toronto area and the whole food marketing and dispersing process; the fact that it is an attempt to break through the monopoly and to recognize the growth of the area and the dispersal of these goods to the benefit of all the people; the leadership that the chairman has shown in this, and it has enjoyed the unanimity of all the committee members. I am glad to support not only the specific intent of the bill, but the process it involves.

Mr Velshi: I cannot help but agree with the chairman on this committee. I was on the same committee a year and a half ago. I found that the Ontario Food Terminal has a monopoly to the extent where the leases at that terminal, which are in perpetuity, are being sold for over \$1 million each, and one case where one lease was sold for \$1.2 million. I think that alone tells us something is wrong there.

I think fully one third to 40% of those leases are also owned by one of the largest food chains in the country. I find that very strange, because if it was meant to be assisting local farmers and local food producers, then something seems to be going wrong there. I think this abuse of the system is only happening because there is a monopoly, and I think the sooner we get rid of section 12, the better we will all be and so will our farmers be.

Mrs Grier: I am just delighted to be able to participate in this debate today and the fact that this piece of legislation is before the House. I want to congratulate and thank the member for Ottawa-Carleton for making it possible for this to happen. I was not aware there was a procedure whereby a committee could come forward with a bill, and I want to thank the government for facilitating the fact that we can debate it today.

Interjection.

Mrs Grier: The Minister of Housing says he is still not sure, but we are debating it and we are going to have second reading. We might even have third reading, and with any luck we will get royal assent. When we do, we will have accomplished two things. We will have made it possible for a private member who has a real concern about something to have that come to a committee, as I did, and have that committee debate it and other members bring their concerns around that issue, and have then the resolution of one aspect of those concerns by way of a bill from the committee be accepted by the Legislature. I think that is an important contribution to making this a place of democracy, debate and, at times, consensus, as opposed to confrontation.

The other thing we will have done will have really been to take a small step towards opening up the process of food, vegetable and flower wholesaling in the greater Toronto area, that area the government has now created.

Section 12 of the Ontario Food Terminal Act was adopted in order to encourage those people who were wholesaling fruit and vegetables to move to a new location provided by the government of Ontario in my riding on the Queensway, a location that is now very familiar to anyone who drives by on the Queen Elizabeth Way.

I think it was probably important at the time the food terminal was established to give the monopoly so that people would feel that if they made an investment in the food terminal, or they made a commitment to go there, they would in fact be protected from somebody opening up another terminal. But as has already been said by some members opposite, times have changed and it is no longer necessary to provide that protection. In fact, I think it is very beneficial to open up the opportunities to wholesale in Metropolitan Toronto. It makes no sense for the small corner grocer in the east end of Scarborough to have to drive to the food terminal in the west end in order to pick up his or her produce every morning. It makes a lot of sense to be able to have a number of terminals if that in fact is what the market dictates.

I was brought to this issue by a constituent of mine who felt himself, and still feels himself, very discriminated against by the fact that there is a monopoly in the terminal, not only the monopoly that it is the only location where fruit and vegetables can be marketed from but the fact that the leaseholders have those leases in perpetuity. As the member for Don Mills referred to, transfer of those leases now occurs at close to \$2 million.

So when this concern was raised with me, how a piece of government-owned property could be subject to enormous turn-over fees when leases were exchanged, I went back and found a report that had been done in 1979 by the standing committee on procedural affairs. I think it is worth putting on the record the recommendation of that committee, which is what leads us to where we are today.

"It is the committee's view," that report said, "that section 12 of the act which gives the Ontario Food Terminal an effective monopoly should be repealed. In the formative years such protection was clearly necessary, but its disadvantages may now outweigh its advantages. In addition, the committee believes that the leases should be changed to eliminate their perpetuity and to restrict subleasing and assignment. This change would likely require an amendment to the act. The committee is also concerned that no one interest be in a position to control a large portion of the terminal's units and suggests that limits be imposed on the number of units any given wholesale interest may control."

1730

I think it is important to remember that what we are doing today is implementing only the first of those recommendations, the one that eliminates section 12 and the monopoly clause. The government has not yet come to grips with the perpetual leases and the fact that they effectively restrict the opportunities of small businesses to obtain units in the food terminal and that the Ontario Food Terminal Board has effectively blocked any attempts to expand the terminal and create more units.

Following up on my concern, the standing committee on government agencies in 1988 endorsed the recommendations from the 1979 committee and added some of its own. There has been no action on those other recommendations, so I would hate for members who are supporting this bill today, for which support I am grateful, to think that this is the end of the matter.

We are taking today a very important first step and sending a very important signal to the board of the food terminal. I regard the bill that is before us today as a prerequisite to any further action to change some of the things that are wrong in the operation of the food terminal, and I really appreciate the support and the process that have allowed us to come to this point today and look forward to changing conditions in the operations of the Ontario Food Terminal as a result.

Mr Mahoney: I think I can make my comments in the two minutes allotted. First, I would like to congratulate the member for Carleton for getting this bill dealt with so expeditiously, but I think he would probably agree with me that the member for Etobicoke-Lakeshore deserves a round of applause as well for her diligence in working on this particular issue. I also have a constituent, whom she is aware of, who has been impacted by this, and I do appreciate her tenacity in attempting to resolve this problem on behalf of her constituents and subsequently on behalf of others.

The real issue here is the doing away with what I consider really to be a dinosaur, a dinosaur that was created in years gone by that has simply gone on in perpetuity, not only the leases, but the whole atmosphere surrounding the food terminal, the whole concept. While I quite agree that this is only the first step, I think that clearly it is the most important step, because this will now open up to the private sector opportunities to perhaps establish other terminals in other parts of the province, and therefore other units in other parts of the province.

Under the existing structure, there are currently what they refer to as C units under construction, which is a third level of unit available to the marketplace to sell fruits and vegetables. They are extremely expensive, extremely difficult for anyone to get into and really not an appropriate use. I think the days of that particular property finding its best use in the area of a food terminal may also be coming to an end at some time in the future. There is nothing like free enterprise and opening it up and allowing people to look at establishing things in a better, more appropriate manner to make things better in that industry.

So particularly to the member for Etobicoke-Lakeshore, but to all, I congratulate them for this effort.

Mr D. S. Cooke: I want to join with the members who have spoken and comment on the submission made by the member for Etobicoke-Lakeshore and agree that it has been this member who, over the last number of years, has brought this issue to the Legislature several times with former ministers of Agriculture and Food, and the current minister as well, and today the process that is being used, I think, is an extremely healthy one. I want to congratulate the government and the government House leader for allowing this procedure to be fol-

lowed this afternoon. I think it is a healthy one and demonstrates that sometimes actions by private members can work.

I think perhaps what we should be looking at as House leaders is, there are a couple of committees that logically should have the power to produce their own legislation and submit it on their own to the Legislature and have it called for debate. I would hope that the government House leader might look, with the opposition House leaders, at those types of changes in the rules so that this can happen on a more regular basis.

Hon Mr Elston: Oh, does the member want to talk about rule changes? We're keen. I have a few.

Mr D. S. Cooke: I have a couple of other rule changes I would suggest as well, but I am not sure they would be agreed to in the same spirit as today's bill is being agreed to.

I just want to finish by congratulating again the member for Etobicoke-Lakeshore and also the sponsor of the bill. It is a healthy process. It is obviously going to be beneficial. I only wish there was another section to the bill that could establish, before the member for Cochrane South leaves the Legislature, that long-wished-for food terminal in northern Ontario that he ran on in 1977. I do not think it has been achieved yet. I know that the member for Cochrane South would probably stick around if he thought he could be as successful at achieving that as the member for Etobicoke-Lakeshore has been on this bill today.

Hon Mr Conway: Mr Speaker, on a point of order.

The Acting Speaker: Point of order, the honourable Minister of Education.

Mr Sterling: You can do it on comment.

Hon Mr Conway: Could I do it on comment? I would just like to be straightened out. I was under the impression that the member for Cochrane South had left the Legislature.

The Acting Speaker (Mr Cureatz): That is not a point of order. We will chalk that up to comments. That is our third one. Who has been keeping track of comments? Third? Fourth? One more person for comments? Then continuing with second reading of Bill 167? Then turning to the presenter of the bill.

Mr Sterling: I would like to thank the member for Cornwall for bringing the support of the Minister of Agriculture and Food. In summing up the debate, I would only say that if this process is to happen again, it will only happen if committees act in a responsible manner with the kind of legislation they bring forward, and if the government House leader keeps an open mind to the process and shows that the government has more of a tendency to give a committee bill, as this really is, a harder look than private members' bills have been looked at in the past.

I am happy to participate in the somewhat historic passing of this bill and look forward to entrenching in the standing orders a process that would allow this to happen in an easier and smoother way.

The Acting Speaker: It is hardly my place to make any comments, but having spent some humble number of years also in these chambers, I congratulate the government on this very innovative process.

Motion agreed to.

Hon Mr Ward: Mr Speaker, I would like to seek unanimous consent to proceed with third reading.

The Acting Speaker: Is there unanimous consent to proceed with third reading?

Agreed to.

Third reading also agreed to on motion.

1740

House in committee of the whole.

ONTARIO HOME OWNERSHIP SAVINGS PLAN AMENDMENT ACT, 1989

Consideration of Bill 105, An Act to amend the Ontario Home Ownership Savings Plan Act, 1988.

Hon Mr Mancini: Mr Chairman, with your permission I would like to move to the front row and have staff join me on the floor.

The Chair: Go ahead.

At this point, I would just like to list the sections where members would like to make comments, modifications or have questions or whatever. I have in front of me two government motions to be moved, one to section 5 and one to section 12. Is that correct?

Hon Mr Mancini: That is correct.

The Chair: Do other members have any?

Mr Laughren: I am sorry. I was in a committee and I missed—

The Chair: We are in committee of the whole on Bill 105, and at this point I am just trying to list the sections where members would like to make comments or raise questions.

Minister, if I may recall to your attention, yesterday a point of order was brought forward pertaining to section 10. Were you in the House at the time I made my ruling on section 10?

Hon Mr Mancini: That is in regard to the name of the bill. Is that correct?

The Chair: That is right.

Hon Mr Mancini: My understanding is that you ruled that the name of the bill could stand as is.

The Chair: No, I ruled that this should be looked at today in committee of the whole House, or in committee if it was going to go to committee. I ruled that it was a point well brought forward, but that yesterday in the House was not the time to do it. I was expecting this point to be brought up and resolved today in committee of the whole House, and I would expect somebody to come forward with some kind of understanding to take care of the concern that was raised yesterday on section 10.

Hon Mr Mancini: Mr Chairman, what I need to know from you first is whether or not it is in order.

Mr Laughren: I wonder whether I might—

The Chair: Did you want to address this before I address the minister's remark?

Mr Laughren: Mr Chairman, I await your bidding, but I would suggest to the Chair and through you to the minister that it is inappropriate to have the bill titled the way it is. I think it is difficult enough for laypeople in particular to deal with legislation and I do not think we should make it any more difficult than it need be.

It is very clear that the bill reads, "An Act to amend the Ontario Home Ownership Savings Plan Act, 1988." When you go through the bill to section 10, it very clearly states that section 50 of the Succession Law Reform Act is amended. It seems to me that is not an appropriate way in which to amend legislation. I do not for a moment think it is a deliberate attempt by the ministry to do anything devious, but I just think, in terms of dealing with legislation in this place, that if we are going to amend more acts than the bill indicates in the title, we have an obligation to state that and it should be stated in the title of the bill.

It is not at all unusual, as I recall—I do not have one in front of me—to have a title of a bill that would say, for example, "An Act to amend the Ontario Home Ownership Savings Plan Act and other legislation" or "other bills." I think it is not appropriate for the ministry to think that it can just put a heading in that says "Complementary Amendment" and proceed accordingly. If you allow that, surely we could be amending three or four existing acts of the Legislature if we proceeded that way. I think that this is inappropriate for people who are trying to deal with legislation that is complicated enough to begin with.

The Chair: Minister, if I may remind you of a previous ruling, and I quote from a previous ruling: "The long title sets out in general terms the purposes of the bill. It should cover everything in the bill." So before we get to section 10, could I have you or your staff prepare an amendment that would reflect that in the title?

Hon Mr Mancini: Mr Chairman, are you ruling that the title of the bill should be changed? Is that your ruling?

The Chair: Yes, sir, according to precedent.

Hon Mr Mancini: And which precedent was that?

The Chair: It was a precedent ruled on Tuesday 12 June 1984 by the Acting Chairman, Mr Treleaven at the time. It has been the usual practice, and I think the point brought up by the member for Nickel Belt is valid. Maybe you and your experts, until we get to section 10, can think of how you would want to meet those standard norms that we have always had.

Mr Lupusella: If I may, I would like to make a suggestion. Maybe we can put aside this particular clause. We can proceed with the bill while officials of the minister consider the ramifications of the change.

The Chair: We can wait till the end. It does not matter. I am willing to be very accommodating about this. We can look at the other sections. I just wanted to tell you, Minister, right now, to give time to your staff to look into this matter so that we can proceed and do it correctly and completely. Is that correct? Then can we proceed? I repeat, I have government amendments to sections 5 and 12. Are there any other amendments to be listed at this time? If not, shall sections 1 to 4, inclusive, carry?

Sections 1 to 4, inclusive, agreed to.

Section 5:

Hon Mr Mancini: I thought I might have heard from my friend the member for Nickel Belt before section 5.

Mr Sterling: Don't tempt him.

Hon Mr Mancini: Don't tempt him.

The Chair: Mr Mancini moves that section 5 of the bill be amended by adding the following subsection:

"(1a) Subsection 5(4) of the act is amended by striking out the word 'and' at the end of clause (b), and by adding the following clauses:

"(d) in the case of an eligible home described in clause 1(2)(a), (b), (c), (f), (g) or (h), the eligible home has not been converted from rental property contrary to the Rental Housing Protection Act, 1989 or the Rental Housing Protection Act, 1986; and

"(e) in the case of an eligible home described in clause 1(2)(d) or (ga), if the co-operative corporation or the real property is a co-operative as defined in the Rental Housing Protection Act, 1989 or the Rental Housing Protection Act, 1986, the co-operative corporation or the real property has not been converted from rental property contrary to either of those acts."

Hon Mr Mancini: We wanted to be very clear that we were in no way going to encourage any illegal conversions, and that if in fact these illegal conversions took place, this particular government program would not be used in any way to subsidize what was happening. That was a matter that was raised some time ago by my officials and others who were reviewing the bill. I think the amendment is needed. I hope it moves forward quickly.

Mr Laughren: I understand what the minister is saying when he says that he does not want to encourage illegal conversions. My problem with the bill, as it would then stand as amended, is that it would encourage legal conversions. That is the part that is bothering me. We all know that we have all over this province an acute shortage of rental accommodation. I think what this allows someone to do is to convert a rental property to an ownership property and receive benefits under this legislation.

If the minister can assure me and my colleague that this is not the case, then I would be somewhat mollified, but I am concerned at what this will do. It should not need to be said, but it is obvious that the legislation should not encourage illegal conversions. That should go without saying, but what is bothering me is that I am not convinced that it does not encourage legal conversions, and even though they are legal, that does not satisfy me that it is the right direction to go in terms of public policy when we have such a rental accommodation shortage in the province.

1750

The Chair: Any other comments? The member for Carleton.

Mr Sterling: It is more in the form of a question to the minister. As I understand the Ontario home ownership savings plan, it is basically to benefit purchasers of a home, primarily young people and first-time home buyers, which is something that I think should be very much encouraged by the government. What I guess I question in terms of bringing this amendment in is, who will it penalize? Will it penalize the converter or will it penalize the young person who is trying to buy it and is not aware of, nor can be found guilty of, an illegal conversion? I guess I have some problems with matching the intent of what the minister is saying and what the net effect might be on a young couple who sign an agreement of purchase and sale and are not aware of how the conversion took place.

The second problem that the minister may face is trying to establish when a residence actually falls within this definition. Those are questions.

The other question I have is, if a conversion has taken place "outside of these pieces of legislation," if that is already a fact and then a young couple comes in and buys one of these units, is it going to be penalized as well from not receiving the benefits of the plan, even though I understand the minister's intent is to work against future conversions? In other words, there is no sense in penalizing a purchaser who comes in now and buys something which we do not approve of or the government does not approve of, but in fact the minister is not really meeting the intent of what he is trying to do, which is to discourage future conversions

Ms Bryden: I agree very much with my colleague the member for Nickel Belt that it is very dangerous to be putting in clauses that are going to permit the conversion of rental properties to homes that can qualify under the present legislation. We should not be discouraging the provision of affordable housing, and that is what this section that my colleague has drawn attention to appears to be doing. It is all part, I think, of a bill which is a very wrong-headed bill, which gives the minister far too much power to deem this and to deem that and to decide who is the exact owner of the house or who is the exact holder of the deposits that have been made into the home ownership plan.

The whole thing is, I think, very undemocratic in the administration that is provided for in this act, including this section that we are discussing, and I do not like giving the minister these kinds of powers to manipulate this scheme to suit what he thinks the act should provide in the way of benefits. I think the whole act is something that we should not be passing because it is establishing very bad precedents for giving the minister all sorts of discretionary power, and there does not appear to be any appeal from his exercising this power.

In addition, the act provides that any appeals that do come up, or any challenges, are cut off if six years have elapsed since the initial transaction was made, the initial payment of the deposits. Six years is not enough to discover what happened in the ownership changes in a particular investment in this plan. As we all know, these things come out very slowly if there have been any irregularities in the way that the investment has been made by the person who took advantage of the plan. So I think that time extension should be at least 10 years in order that people who have been treated in an improper way, or whose investment has been treated in an improper way, it can come out and there can be rectification made.

On those two points, being asked to pass very undemocratic legislation which gives the minister far too much power and not appearing to discourage the conversion of housing into rental housing, I think we should oppose this section.

Mr Lupusella: I am compelled to rise and make a short statement, considering it is almost 6 o'clock.

I really do not understand the position taken by the NDP on that particular amendment moved by the minister to the act. The minister put forward a clear amendment to stop illegal conversion and, at the same time, prevent people getting benefits under the plan. The member for Nickel Belt raised a concern, that he is afraid, in view of this particular amendment, of a shortage of rental housing across the province of Ontario. I am just wondering if he is advocating illegal conversion and also telling people that they should get benefits under the plan. I really do not understand his position. The position of the NDP is completely ambiguous. They should restate their own position as well.

Mr Laughren: I think I will ignore the silly comments of the member who just spoke. If there is anybody who has fought for adequate rental accommodation in this province, it is New Democrats. Those of us who remember back to 1975, when we fought a major fight over rental accommodation, will certainly not need to be reminded of that.

I would go back to the minister, though, and encourage him to think about what he is doing. I do not know why this section needed to be in there in the first place. Why is there a reference to conversion units in the first place? I would like to know why he bothered putting that in the bill. Why not just state that that is for the purchase of home ownership and conversions are not eligible for assistance under this bill?

Hon Mr Mancini: Mr Speaker, we are very close to 6 o'clock. Could I ask for unanimous consent to possibly sit until 6:30?

Mr Laughren: No.

Hon Mr Mancini: I do not have unanimous consent to do that. I do not have enough time really to adequately answer the questions that have been put to the floor, only to say that the objections raised by the honourable member for Nickel Belt actually refer to section 1.

Mr Laughren: No, no.

Hon Mr Mancini: Yes, they do, and I will explain that later, the next day we have more time.

The comments put forward by my colleague from the Conservative caucus are that he feels that the wrong people are going to be punished and he does not feel that this may in fact plug the loophole that we did not want to be used. He makes a good point, and I would like to have the opportunity to fully answer his questions, but at this time I would like to adjourn the debate.

On motion by Mr Mancini, the committee of the whole House reported progress.

The House adjourned at 1801.

ALPHABETICAL LIST OF MEMBERS
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons .
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
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MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
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McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
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Sullivan, Barbara	Halton Centre	L	
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CONTENTS

Wednesday 6 May 1990

Members' statements

Northern Ontario passenger rail service	1565
Mr Laughren	
Small business	1565
Mr Sterling	
Intergovernmental co-operation	1565
Mr Adams	
Workers' Compensation Board	1565
Miss Martel	
Assistance to farmers	1566
Mr Villeneuve	
Industrial training	1566
Mr D. W. Smith	
Nipissing area teachers	1566
Mr D. S. Cooke	
Ontario Lottery Corp	1566
Mr McLean	
Ed Grimshaw	1566
Mr Ballinger	

Statement by the ministry

Health professions	1567
Mrs Caplan	

Responses

Health professions	1568
Mr Reville	
Mr Harris	

Oral questions

Pension legislation	1569
Mr B. Rae	
Mr Elston	
Employment adjustment	1570
Mr B. Rae	
Mr R. F. Nixon	
Trade with eastern Europe	1571
Mr Harris	
Mr R. F. Nixon	
Health cards	1572
Mr Harris	
Mrs Caplan	
Farm tax rebate	1573
Mr Wildman	
Mr Ramsay	
Employer health tax	1573
Mr Brandt	
Mr R. F. Nixon	
Funeral services	1573
Mr Daigeler	
Mr Sorbara	

Forest management	1574
Mr Laughren	
Mrs McLeod	
Travel industry compensation fund	1574
Mr Runciman	
Mr Sorbara	
Skilled trades	1575
Mr M. C. Ray	
Mr Conway	
Political contributions	1576
Mr Philip	
Mr Sweeney	
Parliamentary assistants	1576
Mr Runciman	
Mr Elston	
Gasoline tax	1577
Mr Callahan	
Mr R. F. Nixon	

Petition

Zoning bylaws	1577
Mr Wildman	

Report by committee

Standing committee on regulations and private bills .	1577
Mr Callahan	
Agreed to	1577

First readings

County of Simcoe Act, 1990, Bill 177	1577
Mr Sweeney	
Agreed to	1577
Health Professions Regulation Act, 1990, Bill 178 . .	1577
Mrs Caplan	
Agreed to	1577
Audiology and Speech-Language Pathology Act, 1990, Bill 179	1578
Mrs Caplan	
Agreed to	1578
Chiropody Act, 1990, Bill 180	1578
Mrs Caplan	
Agreed to	1578
Chiropractic Act, 1990, Bill 181	1578
Mrs Caplan	
Agreed to	1578
Dental Hygiene Act, 1990, Bill 182	1578
Mrs Caplan	
Agreed to	1578
Dental Technology Act, 1990, Bill 183	1578
Mrs Caplan	
Agreed to	1578
Dentistry Act, 1990, Bill 184	1578
Mrs Caplan	
Agreed to	1578

Denturism Act, 1990, Bill 185	1578
Mrs Caplan	
Agreed to	1578
Dietetics Act, 1990, Bill 186	1578
Mrs Caplan	
Agreed to	1578
Massage Therapy Act, 1990, Bill 188	1578
Mrs Caplan	
Agreed to	1578
Medical Laboratory Technology Act, 1990,	
Bill 191	1578
Mrs Caplan	
Agreed to	1578
Medical Radiation Technology Act, 1990, Bill 192	1578
Mrs Caplan	
Agreed to	1578
Medicine Act, 1990, Bill 193	1578
Mrs Caplan	
Agreed to	1578
Midwifery Act, 1990, Bill 195	1578
Mrs Caplan	
Agreed to	1578
Nursing Act, 1990, Bill 196	1578
Mrs Caplan	
Agreed to	1578
Occupational Therapy Act, 1990, Bill 197	1578
Mrs Caplan	
Agreed to	1578
Opticianry Act, 1990, Bill 198	1578
Mrs Caplan	
Agreed to	1578
Optometry Act, 1990, Bill 199	1578
Mrs Caplan	
Agreed to	1578
Pharmacy Act, 1990, Bill 202	1578
Mrs Caplan	
Agreed to	1578
Physiotherapy Act, 1990, Bill 203	1578
Mrs Caplan	
Agreed to	1578
Psychology Act, 1990, Bill 210	1579
Mrs Caplan	
Agreed to	1579
Respiratory Therapy Act, 1990, Bill 212	1579
Mrs Caplan	
Agreed to	1579
Township of Plympton Act, 1990, Bill Pr65	1579
Mr D. W. Smith	
Agreed to	1579

Second readings

Highway Traffic Amendment Act, 1990, Bill 96	1579
Mr Mackenzie	1579
Mr Villeneuve	1580
Miss Martel	1581
Mr Wildman	1584
Mr Morin-Strom	1585
Mr Kormos	1586
Mr Wrye	1586
Agreed to	1588
Ontario Food Terminal Amendment Act, 1990,	
Bill 167	1588
Mr Sterling	1588
Mr J. B. Nixon	1589
Mr Kozyra	1589
Mr Velshi	1589
Mrs Grier	1589
Mr Mahoney	1590
Mr D. S. Cooke	1590
Agreed to	1591

Third reading

Ontario Food Terminal Amendment Act, 1990,	
Bill 167	1588
Mr Sterling	1588
Agreed to	1588

Committee of the whole House

Ontario Home Ownership Savings Plan Amendment	
Act, 1989, Bill 105	1591
Mr Mancini	1591
Mr Laughren	1591
Mr Sterling	1592
Ms Bryden	1593
Mr Lupusella	1593
Progress reported	1593

Other business

Adjournment	1593
------------------------------	------

Lists of members

Members and their responsibilities	1594
Committees of the Legislative Assembly	1597



43 1990

43 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Thursday 7 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le jeudi 7 juin 1990



Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Le Journal des débats rapporte en anglais ou en français les débats, selon la langue utilisée par les participants. Les remarques faites en l'une ou l'autre langue ne sont pas traduites. La langue des en-têtes et de la table des matières reflète la langue utilisée.

Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 7 June 1990

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

WASTE DISPOSAL

Mr Morin-Strom moved resolution 53:

That, in the opinion of this House, recognizing that municipal solid waste should be reduced as much as possible so as to eliminate the need for more landfill sites, and recognizing that each region of the province should solve its own waste problems, the government of Ontario should adopt a policy that no municipal or other garbage from southern Ontario should be shipped to any location in northern Ontario for treatment or disposal.

Mr Morin-Strom: I believe this is an issue which faces communities right across Ontario, and it is one which is particularly disturbing to rural Ontario and residents of northern Ontario. We cannot allow southern Ontario municipalities to take an out-of-sight, out-of-mind approach to their garbage by shipping it to rural Ontario or shipping it to the north for disposal. What we need instead are efforts by this government that municipal solid wastes should be reduced as much as possible so as to eliminate the need for more landfill sites across the province.

Surely each region of the province should have to solve its own waste problems rather than be able to foist them on to other regions, whether in rural southern Ontario or in the north. Right across Ontario, environmental groups are very strongly opposed to this concept, as proposed by the greater Toronto area particularly, which would like to get its garbage problems out of its own area and foist them on other regions of the province.

We know the greater Toronto area has tremendous financial resources. Its ability to be able to buy its way into smaller municipalities, areas of the north, with attractive offers of what they would call "economic development" should not be foisted upon people across the province who feel they want to protect their own regions and do not want the garbage generated in another area to be foisted on them.

A coalition of environmental groups across Ontario has taken a strong stand opposing plans to haul waste from the greater Toronto area. Last year this coalition responded to the proposal from the greater Toronto area by stating quite emphatically that hauling waste will not solve the waste problem. It will merely transport the waste to communities that have not created it.

They pointed out that some of the rail-haul proposals claim that they can recycle and compost mixed garbage after hauling. The province has already tried this at the experimental resource recovery plant in Downsview where it was found to be totally unsuccessful. Successful recycling depends on separating waste at source through programs like the blue box program. This is where the efforts of the province should be focused.

Recently the province announced some new funding for recycling over the next 11 years. This funding is on the order of

\$200 million. However, the estimate for the cost of the rail-haul proposal is potentially over \$1 billion per year. Surely, as a province, we should be putting those kinds of resources into recycling and reusing materials in the province.

Some of the groups opposed to this kind of proposal in the environmental coalition include Pollution Probe, the Citizens Network on Waste Management, the Canadian Environmental Law Association, Environment North, Citizens' Coalition to Maintain the Environment, Nipissing Environmental Watchdog, Northwatch and Algoma-Manitoulin Nuclear Awareness.

Transporting garbage long distances for disposal is not only a waste of non-renewable energy supplies, but it tries to solve the garbage crisis by simply finding more places to put our trash. The real solution is to create less garbage in the first place in order to remove Canada from the dubious distinction of being the largest producer of garbage per person in the world.

Our party has taken strong positions in this Legislature asking for initiatives in this regard. Last December, a resolution presented by our Environment critic, the member for Etobicoke-Lakeshore, was adopted unanimously in this Legislature. That resolution listed policies and laws to reduce garbage through less packaging, more refillable containers and more durable consumer products. It called on the government to introduce the needed legislation at the opening of this sitting of the Legislature.

When the Liberals failed to act on that, the New Democrats stepped in again this spring session. Last month, my colleague the member for Hamilton West presented Bill 165, which set out very specifically the kinds of regulations that government should pass under the Environmental Protection Act so that we can tap the real potential to reduce garbage in the province. That bill, which was passed on second reading and is currently in committee of the whole, although it has not been called by the government to be addressed and is not on the government's priority list for items to be addressed in the balance of this sitting, would in fact take us a major step towards dealing with the waste problems in Ontario.

1010

That bill called for new regulations which would include some of the following items.

First, it would establish provincial programs to help municipalities achieve a 50% reduction of garbage going to landfills by 2000.

Second, it would establish timetables for prohibiting the disposal of certain wastes in landfills so that they must be either reused or recycled.

Third, it would lay down a plan for phasing out the use of containers and packaging, for example, non-refillable soft drink containers, for which there are already waste reduction alternatives.

Fourth, my colleague's bill would have designated disposable products for which non-disposable substitutes are available and would have prohibited the use of such products as, for example, disposable razors.

Fifth, it would have prescribed durability standards for consumer products such as small household appliances as hair dryers.

Sixth, this resolution would have required municipalities to establish blue box recycling programs. At present, these programs are only voluntary and do not exist in all the communities across this province.

This proposal would have required all residents to separate their recyclables. This bill is still alive. It had been past second reading, and I would call upon this government, if it takes waste management seriously, to call that bill into committee so that we can deal with it as a Legislature and have it passed into law before we complete this sitting of the Legislature.

If the government really took waste reduction seriously, no municipality across Ontario would even have to entertain the desperate idea of shipping its garbage hundreds of kilometres away. If the government does not get tough now on waste reduction, there will be no end to the steady stream of proposals for northern and rural dumping of big city garbage.

Last year, the government called for submissions from the Solid Waste Interim Steering Committee with regard to long-term systems for disposal of garbage from the Metropolitan Toronto area. There were 86 proposals in total presented. There is no end to the list of big developers, big-interest corporate people who see an opportunity to make money off a very serious problem that the government should be dealing with itself.

This list of 86 proposals includes some eight proposals from northern Ontario. Shipping southern garbage to the north is not just a general fear raised by northerners, it is a very real threat. For example, the Ontario Northland Railway proposes to haul garbage from the greater Toronto area by rail to landfill or to incinerate it near Kapuskasing, New Liskeard or Kirkland Lake, and several rural southern Ontario farm communities have been targeted quite specifically by entrepreneurs as sites for greater Toronto area garbage, including two sites in Lambton county, one in Kent county and one each near the towns of Orillia, Marmora and Cayuga.

Even within these communities where there may be some economic interest—they want to make a buck on the waste, stinking garbage from the city of Toronto—there is opposition to this movement. Environment movements right across the province have been formed. RAGE, Rural Action on Garbage and the Environment, in particular, is an Ontario coalition of eight rural citizens and environmental groups that opposes Metro's plan to export millions of tons of garbage to rural Ontario. They advocate legislated, mandatory waste reduction, reuse and recycling on the basis of municipal equity.

These communities include those two communities in Lambton, the ones in Kent, Simcoe, Hastings, Haldimand and Norfolk. Also represented in RAGE are two communities in northern Ontario, Kirkland Lake and Timiskaming, and Kapuskasing in Cochrane district. These areas, which have been specifically targeted by the greater Toronto area and this Liberal government as areas for waste disposal, are very strongly opposed to this kind of proposal.

Rural communities outside Metro Toronto face an environmental crisis. Despite their unconditional opposition, Metro Toronto continues to plan for the export of its garbage to those communities' neighbourhoods for landfill disposal. They are asking that Toronto not be allowed to ship its garbage to distant, unwilling communities or to be able to expropriate land in those communities.

Rural Ontario and northern Ontario both have the right and the responsibility to protect farm land and to protect our northern wilderness areas from the exploitation of those resources. Landfill sites create serious environmental threats to water, air

and soil. Toronto must solve its own garbage crisis within its own area and not export its garbage to rural Ontario.

Mrs Marland: As I rise this morning to speak to ballot item 53, I want to read into my own record the resolution because I am in support of the resolution partway through the wording. The resolution says, "That, in the opinion of this House, recognizing that municipal solid waste should be reduced as much as possible so as to eliminate the need for more landfill sites, and recognizing that each region of the province should solve its own waste problems, the government of Ontario should adopt a policy that no municipal or other garbage from southern Ontario should be shipped to any location in northern Ontario for treatment or disposal."

The second part of this resolution in fact contradicts the first part. In the first part, the member for Sault Ste Marie is saying that each region of the province should solve its own waste problems, and I agree with that completely. But we cannot say, on the one hand, that every region of the province should solve its own waste problems and then go on to say that one region may not ship garbage or transfer garbage to another region. Obviously, if there is an agreement with a willing host to ship from one region to another region and both those regions reach an agreement as a willing exporter and a willing importer, if you want to phrase it another way, obviously then they are making their own decisions and managing their own garbage.

In fairness to the member for Sault Ste Marie, his main argument about the reason we are in a garbage crisis today is one that I wholly support: the fact that we have a Liberal government in Ontario that will not make any decisions on anything until it is pushed against the wall and finally has to either climb over it or along it or make a decision. Unfortunately, in a lot of circumstances this current government does a lot of fence-walking or wall-walking, or whatever term you want to use. It does not want to rock any boats by making major decisions and taking the leadership role that a provincial government with the largest population of any province in this country should be taking. What happens is that decisions are not made and we get into a crisis or we get interference where it actually accelerates the crisis.

I can only give you, Mr Speaker, a very good example on the same subject of waste management in my own region of Peel. I have told this House on a number of occasions that the region of Peel had its own waste management process well in hand. They were all the way down the road to a date being set for the hearing on their site selection for their landfill site and at the midnight hour received notice of order from the Minister of the Environment that they had to go back to the drawing board and bring to the hearing a number of alternative sites and that they would not be permitted to proceed to the hearing with only one site, although they had done an assessment of other alternative sites and in fact had at that point spent quite a lot of money reaching the conclusion for the recommended site and had very valid arguments about why that should be the preferred site.

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It was rather ironical because although Peel was put back to the drawing board, at a cost in excess of some \$4 million to go back and reassess other sites, it was being treated differently than a crown corporation of this government of Ontario, namely the Ontario Waste Management Corp, which was allowed to proceed to an environmental assessment hearing on its site selection with only one site. So, on the one hand, we had Ontario Waste Management Corp going forward with one site; on the other hand, we had the region of Peel going forward with

one site and then having the door closed in its face and put back three years and \$4 million and then being lumped into all the other Metropolitan Toronto regions with the major garbage crisis.

Mr Speaker, I give that to you as an example of how far wrong the situation of waste management has gone today in Ontario. We all understand very well the 3Rs. Some of us understand a little better the 4Rs, and speaking on behalf of myself and my residents, we are not yet supportive of the fourth R of recovery, which is mainly incineration. Although the Minister of the Environment has stood in this House a number of times and said he understands that the member for Mississauga South supports incineration—no matter how many times I correct that for the record—I do not at this time support incineration because we do not yet have a state-of-the-art process for incinerating garbage that is proven not to add any risk to the environment through the stack emissions. I certainly understand that when technology is developed and science becomes more sophisticated in the industry, it is entirely possible at some time in the future that we may have incineration; but today I do not support it.

We do have a lot more information today in terms of reduction and reuse and obviously recycling, and I wish that instead of putting pressure on any community in this province where decisions are made by those communities in a crisis, more support and more leadership could be given by this government to those municipalities to help them with programs in reduction and reuse. I wish this government would bring in legislation that had mandatory requirements on the reduction of packaging in this province. We all understand in this House very well what excess packaging is doing in terms of using up unnecessary space in our landfill sites and also the excess packaging is very often in the plastics area, which is not a product necessarily that is able to either be reused or recycled.

In fairness to the member for Sault Ste Marie, I think I could support his resolution if he had just made the statement that the government should adopt a policy of support to municipalities in resolving their garbage crisis and that, while recognizing that each region of the province should solve its own waste problems, there would be some support from this government. But in fact what this government is saying is, "Go find your solutions. We will grant you interim landfill sites in the greater Toronto area without full environmental assessment," and if anyone in this House disputes that fact, I would remind them of the announcement made by the Premier—not by the Minister of the Environment, which I think is pretty significant.

I respect the Minister of the Environment because he did not make this announcement. The Premier of this province announced in August of last year that the interim landfill sites in the greater Toronto area would be exempt from the full impact of the Environmental Assessment Act and shortcut and be considered only under the Environmental Protection Act. Anyone who knows those two acts well knows the difference between the two and recognizes very readily that it is not a full environmental assessment unless it is under the Environmental Assessment Act.

So we have the government saying, "We'll give that exemption in order to expedite a solution in the greater Toronto area," but what we are saying is, it can streamline the process without shortening the process and risking the environment. Because the government has not taken seriously yet the crisis of over 100 municipalities in Ontario today in terms of what they are

going to do with their garbage today and tomorrow, we have a major, increasing problem.

Since we are limited in time in this debate this morning, I regret that I cannot present the rest of my arguments which are only partially in support of the member for Sault Ste Marie because of the final part of his resolution, where he is actually making a statement for northern Ontario. Maybe eastern or western Ontario feels the same way about Metro garbage.

I think it is up to the municipalities to make those decisions. If there are willing hosts and it is an economic benefit to one municipality to have an industry such as waste management within its boundaries when another industry is dying, that is up to that local municipality to decide. We certainly are aware that there are letters from Kirkland Lake and other municipalities in northern Ontario where they are now quite willing to have some of their abandoned mines used for garbage, but that is up to them.

Mr Adams: I listened with interest to the member for Mississauga South. I am very interested in joining this debate on this resolution on waste management in Ontario from the member for Sault Ste Marie.

As the previous speaker noted, there are really two halves to this resolution. The first one deals essentially with how we should manage waste in our society and particularly stresses reduction. As the member for Mississauga South pointed out, the reduction part of waste management is particularly important. We reduce, we reuse, we recycle wherever we can, in that order. To reduce is very important at the present time. That is why this government is interested in the national packaging standards. If and when that program comes through, it will have an enormous impact on the amount of garbage which is generated in our society. We certainly must support that program when it comes and take all action that we possibly can to reduce before it comes.

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The second of the 3Rs, reuse, in fact very often really results in reduction. We have the 3Rs and it is a useful concept, but very often they lead to the same thing. For example, if we buy a durable product instead of a disposable product, it simply means we reduce consumption. We use a cup twice, three times, five times instead of once. That actually reduces, through reuse, the amount of the garbage.

It is not an example that I use lightly, but the really good example of reuse in our society is in the beer industry in Ontario where roughly 98% of beer bottles are reused and the remaining 2% very often go back and are actually recycled. Think of the extraordinary saving that is involved in this one particular industry from that fact. It arises of course from the way we handle beer in our society. The Brewers' Retail has essentially a monopoly. It distributes beer in our communities and it receives that beer and returns the bottles for reuse to breweries which are located in various parts of the province.

The same applies—unfortunately not at the moment, although we are making great progress—in the area of soft drink bottles and reuse. The province has mandated a production ratio whereby 30% of soft drink containers are to be reusable. We have mandated reduced costs for reusable soft drink bottles, we have mandated that they should be available in stores, etc., and we have mandated that their availability be advertised. So we have really promoted reuse, and it is very important that we do. As I say, that sort of reuse results in reduction, the first of the 3Rs.

Then, of course, as the member for Mississauga South pointed out, there is recycling, which has received such an enormous emphasis in this province. Our blue box program has been recognized internationally. It now is in two million homes and spreading to apartment buildings and other locations. It is resulting in the diversion of a quarter of a million tons of waste every year into productive use. The Student Action for Recycling program, which is now being taken up by the school boards, will eventually involve every school board in Ontario so that students can be involved not only in recycling the standard blue box recyclables, but various types of paper and different types of plastic, etc. That is spreading.

In the recycling area we have our recycling technology fund which is encouraging people to come up with innovative ways of recycling different materials. For example, we recycle aluminum cans to achieve incredible energy savings. One of the figures that is used is that to make an aluminum can from recycled cans uses only 5% of the energy that was originally required to produce that can, and we do the same with steel. We recycle oil and of course we recycle paper and some plastics, and we are experimenting with recycling of different types of plastics.

Of course, both the previous speakers are right that only after all the possibilities of the 3Rs have been exhausted should we move to landfill and then that landfill should be as safe and secure as is humanly possible. That is the idea we are aiming for, a situation in which every possible usable part of the waste stream is used and that the remainder, which we hope will be a very small amount, will be disposed of in a safe and appropriate way.

The government's targets are 50% diversion within 10 years; 25% within a few years. We believe that is achievable, although many people in other jurisdictions say it is impossible for us in such a short time to achieve a 50% diversion of waste to useful uses. We believe it can be done by the year 2000 and figures suggest, and the progress, for example, of the blue box program and industrial recycling programs suggests, that we are well on track.

The second part of this resolution actually addresses something completely different. It actually says that each region should be responsible for all of these things that I have been describing, in isolation from others. For a region, a municipality or an individual to be responsible for its own waste in the sense that it should see to it that the 3Rs are developed as fully as possible in that region and that municipality or, if it is an individual, in the individual's household, is it really appropriate or possible that a region which receives goods from outside should be responsible for the recycling, reuse or whatever of all of these goods which have come to it, not only from other parts of the province and other regions, but from other provinces, other countries and, indeed, from around the world? In fact, could a region do that?

Let us take the case of the beer that I described. The distributor, Brewers' Retail, should be responsible for the collection of those bottles. By accident, it is one of the ideal situations we have in our society for reuse. But, of course, it is the breweries that have the capacity, I assume, to sterilize and recap those bottles. Can that be done in every region? It strikes me that is impossible.

Let's take the case of oil, which is increasingly recycled. The service stations in a region should take back oil, but can we expect the service stations in a community to recycle oil? There are plants in the province of Ontario which recycle oil extremely effectively. The oil that was skimmed off from Hagersville,

for example, was recycled into bunker C. Can that be done in one community, in one region?

Let's take the recycling of paper. In the recycling of paper, can we expect that there will be mills which can deal with all the papers that are collected around the province in every region? Again, with aluminum cans, can we have smelters in every region? I think not.

The free flow of goods and services is one of the great strengths of our society and we are at last recognizing implicitly, in the 3Rs, that large parts of the garbage stream are in fact goods. They are useful products and this is something which is widely recognized. It is recognized in the schools and it is recognized by industry. In fact, it is recognized that it is not waste at all. We are dealing with products. Free flow of products is a feature of our society.

We are also recognizing at last that the processing of this so-called waste is an extremely valuable and important service in our society. The free flow of goods and services is a feature of our society. Surely we should foster the idea that these parts of the waste stream are goods and that the processing of the waste stream is a valuable service in the society. I think we should foster this way of thinking as a way of dealing with our so-called waste management problems.

I cannot support a resolution which would reduce the effectiveness of our handling of garbage and which would restrict the free flow of goods and services in the province of Ontario.

1040

Mr Wildman: I must say that the previous speaker, the member for Peterborough, obviously did not read the resolution.

I rise in support of my colleague the member for Sault Ste Marie because I am dealing with the resolution. The resolution deals very clearly with two very important matters in our society today.

The first one the member for Peterborough did deal with briefly, and that is reduction of waste in our society. Obviously, as a society that produces more garbage per capita than any other society on earth, we must reduce, because the other matters that were dealt with by the member for Peterborough cannot take up all of the refuse that we are producing unless we do in fact reduce the amount of refuse. Recycling and reuse are very important, but they are not dealt with in this resolution directly.

The member for Sault Ste Marie at no place in this resolution is suggesting that every region of the province must have a recycling program, although I am sure he would be in favour of that if it were possible, and the blue box program is spreading from one area to another. He is not suggesting that every region of the province or every community of the province must have its own reuse programs for every type of product that is produced and can be reused. That is not what is suggested anywhere in this resolution.

The resolution says that we must reduce, which I certainly agree with, because we must resolve this problem of the amount of waste that we produce. But then, in dealing with the waste for which we do not have reuse possibilities or which we cannot as yet recycle, the resolution says we must not ship that type of garbage from southern Ontario to northern Ontario. I support that completely.

The problem is that in northern Ontario we have a situation, and it has been historic, where we have shipped our resources, often, too often, in raw form to southern Ontario for manufacturing. While doing that we are not just shipping away the

resources from the north; we are shipping jobs out of the north; we are shipping wealth out of the north to the south.

Then we are told, "Fine, the tremendous wealth that we have in the greater Toronto region, for instance, built largely on the resources of the north, should justify the shipping of the refuse from the greater Toronto region back to the north that has already been raped for its resources."

The member for Mississauga South indicated that while she certainly supported the reduction of garbage so that there would not be more landfill sites in the province, she felt that this was a matter that really should be dealt with by the local municipality with regard to the acceptance of waste from another region. She brought out the concept of a willing host, a willing importer of garbage.

Inevitably, what happens in this province is that the communities that are chosen to be asked if they would be willing hosts or willing importers of garbage are those communities that are desperate for economic development and jobs. We never get a prosperous community going to a another prosperous community and saying: "Look, would you like our garbage? We'd be happy to send you our garbage." I have never heard of that. I have never seen a community that is doing well, that has lots of jobs, approached by another wealthy community that says: "Look, we'd like to send you our garbage. Would you like it? I'm sure you've got a few holes in the ground, a few old mines or something that you can dump it into."

No, they always go to the communities where everybody is out of work and they say: "Look, you guys have nothing. You're desperate for work. We've got something for you. We've got an offer you can't refuse."

As a northerner I appreciate the beauty of the north, the important tourist value of the north and the important value of the forests and the water resources that we have in the north, but I am not someone who argues that we must always maintain the beauty of the north in its pristine, original form. I am in favour of development. I want development. I want economic development for the communities in the north. But I want it to be development that means we are going to be able to process and manufacture our resources so that we have worthwhile, good jobs in the north, not a situation where we have to accept the garbage that is produced in other areas that do indeed have the good jobs.

My colleague talked about the proposals that have been made for shipping garbage from the greater Toronto region into certain communities in northern Ontario. There is another development that is taking place across northern Ontario right now at the federal level. The Atomic Energy Control Board has approached a number of communities across northern Ontario, again inevitably the communities that are in trouble economically, and said to them: "Look, we've got some low-level radioactive waste from Port Hope and we'd like to ship it to your community. What do you think?" It has also said, "We, as a federal government, would be interested in providing you with all sorts of grants to help you develop your community, just as long as you take this radioactive waste along with the grants."

In some of those communities they have even determined that the soil and rock formations are not adequate for burying this waste, so they have suggested that those kinds of communities could build some kind of great big concrete tower above ground and put this radioactive waste in it.

They have set up a number of committees to talk about it and a number of those committees have rejected the idea, but then the AECB has gone to the local municipality and said,

"Despite the local information committee's decision, would you still be interested in taking the waste?" In some cases, the municipality says, "Yes, we'd like to continue looking at this possibility." I suppose, in the terms of the member for Mississauga South, that is a willing host. Many of those willing hosts, I think we have established what they are; we just have to establish now what the price is.

I support my colleague. We must reduce garbage. We must not leave it to others to deal with our garbage. The garbage that cannot be recycled or reused but must be disposed of must be disposed of by the community that produces it. It must not be shipped somewhere else to a willing, desperate host.

Mr Pollock: I just want to make a few comments on this resolution. I agree with the Environment critic for our party when she says we can agree with the first part of the resolution. However, I do not particularly agree with the last line in this resolution where they do not want it in northern Ontario. I can assure members we do not want it in eastern Ontario either. I do not know about western Ontario. Western Ontario can speak for itself. Anyway, we certainly do not want it in eastern Ontario.

I just wanted to place on the record that I certainly do not agree with the member for Peterborough on his comment that we reduce and recycle and then put in a landfill site. I have said loud and clear on quite a few occasions in this House that there is no proof out there that over the next 50 or 100 years—landfill sites are every bit as damaging to the environment as incinerating garbage. Right now they have incinerators that are supposed to be environmentally safe. I am talking particularly of the one out in Burnaby, British Columbia, where they have admitted that it is environmentally safe. Landfill sites, as far as I am concerned, are just a cheap fix for some of the big municipalities, so therefore I am totally not in favour of landfill sites.

1050

Mr Brown: Mr Speaker, thank you for the opportunity to participate in this debate. I appreciate the resolution from my colleague the member for Sault Ste Marie, which I think epitomizes the NIMBY syndrome, not in my backyard, to the hilt, only this backyard is 90% of the province. The resolution brings the NIMBY syndrome to new heights, or new depths, a syndrome I think and believe often obstructs rational and considered thinking on many issues.

To be clear, northerners are in the forefront of environmental issues. The people of the north, because of their close association to the land, care about the environment. Northerners are committed to making the 3Rs, reduce, reuse and recycle, the first principles of waste management. We believe everyone has a role to play in waste management. Industry must take responsibility for the waste it creates. Governments must become model waste managers. Consumers must choose products that are not overpackaged and municipalities must ensure a careful selection of waste management facilities.

But to say that we cannot have garbage—the member talks about but never defines what garbage happens to be—defies, at least in my humble mind—that means MacTier cannot take garbage from Midland, cannot recycle products for Midland, cannot do those kinds of things, yet we can have Kirkland Lake shipping to Kenora, a couple of thousand kilometres, anything it wants.

As a northern member, I think what is really important is that we deal with environmental issues in a reasonable fashion, recognizing that sustainable development is what is really important in the province as a whole, in Canada as a whole, in the

world as a whole. I think that is what is really important. I know in my own small communities on Manitoulin we are taking dramatic steps in terms of reducing. Private groups, private individuals are organizing composting bees, if you want to call it that. They are building composters just out of their own feeling for the environment. They want to help reduce waste and they are taking those kinds of steps.

Just the other day I had the opportunity to talk to a paper company, the paper company that is in the forefront of recycling newsprint in this province. They tell me that if the facilities they see coming on stream in terms of de-inking and recycling paper occur, by the next century Ontario, not just northern Ontario, will be importing newspapers from other jurisdictions, American, Quebec, perhaps Manitoban, into this province just to make those plants work and to be environmentally responsible. I think there are opportunities in recycling and reuse.

Mr Morin-Strom: That is not garbage.

Mr Brown: I think it is. The member has not defined what he is talking about here. I think there are opportunities. I have a ream of resolutions from municipalities that are interested in recycling projects, in energy reuse, in a number of things, that are saying, "We want the opportunity." The north, being 90% of the province, has many different views in many different places. I just have to go on record as saying that I believe that the municipal people, the people in the area we are talking about have every right and should have the right to make their own decisions about what they believe to be practical.

Miss Martel: About a year ago the controversy around Metro garbage really spilled over into this House, and at the time there were some jests and some comments made about how we should transport the garbage to northern Ontario. Since that time the issue has become more explosive. I am glad my colleague has taken the opportunity to raise it for some debate in this House today.

There are two points I want to make. First, shipping southern Ontario garbage to northern Ontario is not going to solve this province's garbage problem. My colleague reminded us of the old adage, "Out of sight, out of mind." I suppose if we put garbage on buses, trucks and trains and shipped it to northern Ontario, that would reduce some of the controversy here in the greater Toronto area around garbage, but that is not going to get to the crux of the matter, which really is that this government has to come to grips with this serious environmental issue.

This House unanimously endorsed a resolution by my colleague the member for Etobicoke-Lakeshore on 7 December on the hierarchy of the 3Rs; that is, reduce, reuse and recycle. Since that time the Minister of the Environment has gone at it all backwards and instead of putting the emphasis on reduce and reuse has focused almost entirely on recycling. In fact the problems in those other areas still continue. On reduction, for example, my colleague the member for Etobicoke-Lakeshore raised the point last week that a typical Canadian household consumes one ton of packaging per year, that 38% of what we send to landfills and incinerators for disposal is packaging and that 82% of the packaging used in Canada is disposed. Less than 20% is reused or recycled. She talked about the steps Ontario could take without the federal government. In fact, on packaging or reducing packaging of items, soft drinks, beer, domestic liquor and milk, all of these things should be returnable, refillable at best and at least have deposits. This has not been done by this government.

Second, the problem about reusing: There has been a constant controversy around refillable pop containers versus pop

cans. We have said that the only legislation that is workable on soft drink containers is one that places stiff deposits on all non-refillable containers to discourage their use or one that prohibits their use altogether in favour of refillable, returnable containers. The Minister of the Environment is totally opposed to this. He has said that in letters to municipalities even though those same municipalities, through the Association of Municipalities of Ontario, endorsed last year, first, having a refundable deposit fee in Ontario, and second, ensuring that the government of Ontario prohibit the sale of non-returnable drink containers including those now used for soft drinks, milk, juices and all kinds of alcoholic beverages. The minister is far behind what the municipalities in this province think is the answer to the problem.

Third, there are all kinds of problems around recycling. My colleague the member for Etobicoke-Lakeshore talked about that, about how far we were away from actually getting a recycling plan that into place that would get at all the garbage in this province.

Instead of spending our efforts trying to figure out where we can hide garbage in northern Ontario, it seems to me that the thing we should be doing is focusing double, triple our efforts on reuse, reduce, recycling and trying to come to terms with the garbage crisis in Ontario for all of Ontario.

But the second point I want to make—this is far more important—is that garbage disposal is not an alternative to long-term, stable economic development in northern Ontario. Many of my colleagues represent single-industry towns. We are always at the mercy of boom and bust in the economy, whether it is up and down prices of nickel or other resources, or the up and down of the value of the Canadian dollar, or the fact that there is the introduction of new taxes like the softwood lumber tax, which again hits at industries and people working in those industries in northern Ontario.

We in this party have said for many years that it is the responsibility of the government of this province to establish a long-term plan for economic development in northern Ontario, one that stresses diversification so we get away from the boom and bust in single-industry towns.

But garbage disposal is not the way to achieve economic diversity in northern Ontario. It is neither stable nor long-term as an employment source. What has happened is that many communities in northern Ontario that have been hit by reductions and closures of mines, or that cannot get the access they once had to timber plots in this province, are so desperate to take any type of employment to reduce some of the pressures in their communities that they would grab at anything. Indeed, they would grab at southern Ontario garbage as the way to have some kind of employment in their communities.

Take, for example, the Sherman mine closures, the Adams mine closures: 700 people thrown out on the street. Take a look at Elliot Lake: 2,000 people to be laid off this August. The Premier and the Treasurer have been there; not a word said about what this government is going to do to reduce the pressures in that community because of that unemployment and because of those layoffs. The Premier has not said a word.

It is not as if northern Ontario does not contribute anything to the economy of this province. In fact, if you take a look at what we do, we contribute enormously to the profits and the wealth of this province. For example, stumpage fees and other forestry revenue are going to be \$100 million in 1989-90. The mining profit tax alone is going to provide \$197 million of revenue in the fiscal year 1989-90.

1100

What do we get back? In northern Ontario we get a mere \$30 million over 12 years through the northern Ontario heritage fund and that is supposed to produce and promote economic development in northern Ontario. That is it; that is all.

Where has the government been on important issues like a fertilizer plant in northern Ontario, like a northern medical school to produce employment, like the manufacturing of dental and surgical equipment that we could do, using the resources we have in northern Ontario? There has been no leadership by this government when it comes to the northern economy. That is why I blame this Liberal government for putting northern communities in the position of having to take garbage as the only source and the only way that they can have employment in their communities.

In summary, the garbage crisis is not going to be resolved by shipping garbage to northern Ontario. We need proper economic development in northern Ontario so that no municipality feels it has no choice but to accept southern Ontario garbage.

The Speaker: The member for Sault Ste Marie may wish to use the final two minutes.

Mr Morin-Strom: This resolution, I feel, and northerners feel, is a vitally important one that sets a principle that this government should be acting on. We want a government committed to the reduction, the reuse and the recycling of materials right across this province to the extent that is possible, but when it comes to that leftover garbage that has to be disposed of, that has to be the responsibility of the regions in which it is generated.

The people of the north are not going to become a wasteland for southern Ontario, and northerners find it an insult that the members of the Liberal government support the concept and the proposal from the greater Metro Toronto area that 25% of its leftover garbage should go to northern Ontario. The north will not accept that as a solution. We are not a wasteland for the south. We are an area that needs real economic development. We have a quality of life that northerners appreciate. We want to maintain that for our children and for future generations.

This is an issue where the government has to decide whose side it is on. Are they on the side of the public or they are on the side of the big developers down here in the greater Metro area who see the opportunity to make millions of dollars on the garbage generated by the population in this area? Surely rural Ontario and northern Ontario should not be foisted with this particular problem. These areas have not generated the garbage. We may have 90% of the area in the north, but we did not generate 90% of the garbage in this province and we should not take the responsibility for cleaning up the mess that Toronto is creating.

Give us real economic development in the north and allow us to maintain the quality of life we all appreciate in our area of the province.

CRIME PREVENTION

Mr Daigeler moved resolution 51:

That, in the opinion of this House, recognizing that the Canadian Criminal Justice Association in their 1989 paper on safer communities has called on the provinces to play a major role in the promotion of crime prevention through social development, the government of Ontario should accept crime prevention as a significant and integral part of public policy,

especially in education, housing, social services and health, and continue to create a social environment that nurtures respect for the law, peace and security of its citizens, but also addresses the root causes of crime.

The Speaker: As is the custom and as stated in the standing orders, the member has up to 10 minutes to open the discussion.

Mr Daigeler: Thank you very much, Mr Speaker. As usual, you are very generous with your allocations.

It is indeed a privilege to address this House on a topic that has been dear to my heart for many years. Already in my previous work as the researcher for the Canadian Conference of Catholic Bishops, I was keenly interested in weaving a social fabric that promotes personal strength and responsibility and prevents crime from entering a person's mind in the first place.

Crime prevention is an approach to fighting crime. Crime prevention through social development is an approach that overlaps, but is different from law enforcement. Most of our present efforts in Canada to fight crime tend to be through law enforcement. They use the justice system, police, prosecutors, courts and prisons to find the offenders and bring them to justice, to punish or to rehabilitate them. There is a growing recognition, however, that reduced crime in the future will come less from adding police courtrooms and cells than from measures to prevent crimes from happening in the first place.

Crime prevention programs can therefore be examined from three perspectives. The first is the so-called target-hardening. Such programs make potential victims less vulnerable. For cities there are urban designs that discourage robbery and violence. For homes and businesses there are better locks, better designs and reinforcement of vulnerable structures. For automobiles there is encouragement not to leave keys in the cars and to lock them when not in use. And of course, for people there are self-defence programs for minors, women and others often targeted for assault.

Second, there are volunteer participation programs. The best known in Canada are, of course, the Block Parent program and the Neighbourhood Watch program. These are in wide use already. I am very pleased to say that they are very, very effective in that in fact Neighbourhood Watch programs can result in lower insurance premiums for home owners, because they have been proven to be so effective.

Finally, there is the approach to crime prevention called countering deviants. The increase in antisocial deviant behaviour requires us to look at major shortcomings in our society and especially in our family and community life. Often enough, young people no longer receive the consistent and kindly guidance they need in early life to nurture development as normal and responsible members of the community.

Obviously such failings by society do not justify in any way criminal behaviour, nor, and I would like to stress this, do they explain all criminality. A high percentage, nevertheless, of crimes is attributable to a relatively small percentage of the population who have certain characteristics in common.

It is possible to supplement and support the development of this particular group with programs that give them a better chance of normal, fulfilling, contributing lives. In other words, improving the fabric of society where it is found to produce alienation helps us to prevent crime.

Federal and provincial governments so far have focused on the more traditional models of crime prevention: target-hardening and opportunity reduction, combined with a recent emphasis on citizen participation—the cops, courts and corrections

approach. I do not wish to discredit the value of these older models. Rather, my motion simply establishes social development as an essential complement, an action orientation to these traditional models.

I feel that the timing for this particular motion is a good one since as we all know, our legislative standing committee on administration of justice is currently studying a new Police Act. In fact, the committee will be sitting again this afternoon to hear from the public. One of the avowed purposes of this new law, according to the minister's press release, is to make crime prevention, education and community-oriented services as much a part of policing as law enforcement.

In my motion and my speech today, I am pleased to draw on the work of my federal colleague, Bob Kaplan. As Solicitor General in the Trudeau cabinet, and since then, Mr Kaplan has worked tirelessly to broaden our approach to fighting crime and to alert the different levels of government to their broad responsibilities for crime prevention.

1110

I am also heavily indebted to the Canadian Criminal Justice Association and its 1989 paper entitled *Safer Communities: A Social Strategy for Crime Prevention in Canada*. This association has called for a coherent, systematic strategy for effective crime prevention by tackling the social situations that cause crime.

Before I describe in greater detail some of the factors that may lead to crime, let me say three important words of caution. As I mentioned already, my resolution is complementary to, not in competition with, opportunity reduction approaches. Second, we must not ignore white-collar offences and new areas of criminal behaviour when we ask for services to those most susceptible to crime. Finally, and most importantly, every effort must be made to avoid the trap of automatic correlation. A number of social factors can combine to increase the likelihood of a person becoming delinquent, but there is certainly no definite or automatic cause and effect relationship. Being poor, being a single mother, living in a disadvantaged area increases the risk, but these factors are but factors, by no means inevitable causes of crime.

Let me describe some of the factors that should be considered in any crime prevention effort. First, there is age. The peak period is in fact the 15- to about 18-year-old range, with persistent and serious delinquents likely to have started at an earlier age and to go beyond 18 in their delinquency. In Canada in fact, the rate of young males charged in 1981—the most recent statistics—rises steadily from 10 per 1,000 at the age of 11, to 80 per 1,000 at age 14, to 165 per 1,000 at age 16.

A person's sex is another key dimension to look at. Males are much more likely to be involved in crime than females, and that is hardly anything to be proud of since I am a representative of that sex. Of the 92,000 juveniles charged in 1981 with Criminal Code and federal offences, 83,000 were male; in other words, nine males charged for every female. It gives us something to think about.

Obviously we cannot change a person's age or sex. The point here is to call for prevention efforts that are specifically targeted towards the most vulnerable group, namely, the segment of our population that is approximately between 15 and 25 and male.

According to studies analysed by the Canadian Criminal Justice Association, other factors that can make a big difference include early childhood experiences, parenting styles, circle of friends, education, employment, housing and marital relations.

The parenting characteristics most strongly associated with delinquency are parental criminality, inconsistent, uncaring parenting, family discord and disharmony, and weak parent-child relationships.

Since we are getting very close to the time allocated for me, let me conclude my point here by saying that crime prevention through social development will require many changes in attitudes, programs and plans. It means carefully targeted intervention in the family, schools, youth employment and housing. It means co-ordination of our policies for justice, teaching, training, health, leisure and social welfare. Above all, however, it means our determination at Queen's Park to make crime prevention through social development an important focus of our priorities. I invite members' support for this effort.

The Speaker: The next 45 minutes will be divided equally among the three parties.

Mr Kormos: Mr Speaker, I should tell you and the member that we will be supporting the resolution. We applaud its spirit. We applaud its intent. It brings to mind the old Anatole France quote. It has been quoted many times, but as many times as it has been quoted it has been misquoted, so maybe it is time to put on the record the correct comment made by Anatole France just prior to the turn of the century, "The majestic egalitarianism of the law, which forbids rich and poor alike to sleep under bridges, to beg in the streets, and to steal bread."

This resolution, with its intent, brings that old, oft-used quote to mind, but it also brings to mind some of the immediate shortcomings and some of the things that the member, in moving his resolution and in speaking to it, really brings to the forefront.

We have had imposed upon us, by virtue of the political will of the federal government, a Young Offenders Act. The member is quite right. There is a grossly disproportionate number of young people, youthful people, children involved in the criminal justice system. The Young Offenders Act, in an attempt to address that, of course embraces youngsters up to and including the age of 17.

There are whole big chunks of people out there in the community who find little solace in the fact that it was but a young offender who broke into and vandalized their home, who assaulted them, who caused mischief to their property or who robbed the corner store, the Becker's, the Mac's milk or the 7 Eleven in the late hours of the evening.

The young offender who is 16 or 17 years old may well be a six-foot 200-pounder with the names of any number of previous paramours tattooed on his biceps. There are big chunks of the community who find it difficult to understand how that particular type of offender should be accorded special treatment, especially when the courts in this country have, prior to the passage of the Young Offenders Act, given special treatment to and shown leniency towards youthful offenders and among others, as others here will know, to youthful first offenders.

Let's forget for the briefest of moments that perhaps to consider a 16- or 17-year-old, at least in many cases, a young offender is an absurdity in the minds of most people.

Let's look at the potential that the Young Offenders Act created for the type of intervention that has been spoken of, because what the Young Offenders Act did for offenders from the age of 12 onwards was to provide that there could be an emphasis on rehabilitation rather than punishment, that there could be an emphasis on treatment and addressing problem areas rather than merely imprisonment for the purpose of creating deterrents. Sadly, the responsibility for generating those

programs, although the responsibility was created by the federal government, rests with the provincial government. What do we find in this province now?

We find open custody facilities lacking, day after day, month after month, from jurisdiction to jurisdiction. We find judges wringing their hands, receiving psychological reports about these 12-, 13-, 14-, 15-year-old children describing the emotional and psychological problems that can and should be addressed. We find judges wringing their hands because the facilities are not being provided by this province.

If we want to talk about disproportionate representation, yes, there is a disproportionate number of young people involved in the criminal justice system. When you look at those young people, you find kids who are illiterate, kids who are dyslexic, kids who have been abused, mishandled and mistreated in any number of ways. The government has an opportunity to intervene. It has an opportunity to change their lives. It has an opportunity to steer them towards treatment or education. It has an opportunity to influence them with positive role models.

1120

I am prepared to accept that this was at least in part the intent of the Young Offenders Act and the fact that it created open custody facilities and the variety of dispositions that are available to a sentencing judge. Yet it remains that as I said just moments ago, it is true today, right now, in the province of Ontario, it being 11:15, I know there are young offender judges sitting in despair with a youngster, a child in front of them who cannot be helped, and those judges have to say to themselves, and as often as not are saying it publicly, that the province has failed in its responsibility to provide these programs.

There is absolutely no excuse for a province as affluent as this is to have youngsters 12, 13 and 14 years old who remain illiterate. There is absolutely no excuse for young people to suffer from disorders like dyslexia and not be able to obtain treatment. There is absolutely no excuse for youngsters to be abused and mistreated and to show the symptoms and the scars of that, if only in their misconduct, and yet to be denied the therapy, treatment and care that should rightly be theirs.

It is not some long-term goal that we should be looking at here, and that, quite frankly, is what this resolution implies. It is the reality of the present moment when this government, these Liberals, the Premier and his cabinet, have deserted those young people in need of care, treatment and assistance.

It does not take a whole lot of investigation to understand, and there has been a lot of writing and learned discussion about this, that once a kid gets into the criminal justice system and gets labelled, gets marked, the recidivism factor starts to become effective almost immediately. You find kids who may well not be able to remove themselves from that criminal justice system, who find themselves caught up in what is virtually its revolving-door syndrome.

The fact is that in 1990 Ontario there is little room for kids or young people or adults who are illiterate. The fact is that these people do not fit into the mainstream of the community and find themselves on the margin, on the periphery, time after time and subsequently find themselves forced into activity which is criminal.

Again, none of this is to diminish the unfairness of all this to the victims. We have to become increasingly aware of the importance of responding to victims' needs. It is ironic that this resolution by a Liberal member would come so soon after 31

May, and indeed 30 May, when there were questions and statements in this Legislature about one Timothy Garland.

Do you remember that, Mr Speaker? He is a 27-year-old convicted child molester who is due to be released some 20 days after that date. He is going to be out in a matter of a week or so, untreated, uncared for, uncontrolled, a man who in his prison cell had started writing a list of the names of the little girls who were going to be his next victims, actually describing the horrors that he was going to impose on them.

Yet this government was unresponsive to questions and to issues raised when concerns were expressed. The people of the city of Brampton are concerned. That is where this Garland is from. This creep is going to be roaming the streets of Brampton, and who knows where else in southern Ontario, untreated and committed, quite frankly, to committing more sexual crimes against children.

Here was an opportunity to perform some effective intervention to save some victims and to participate in treatment, but for Garland there was no treatment forthcoming. The government just shrugs. The government just says, "Well, maybe next time." That is simply not enough because that is not an adequate response to the victim of next time and to the parents and family of that victim of next time.

So the spirit of this resolution we support. But at the same time we point out—and one would only hope that the government members would be sensitive to it as well, not just be sensitive but do something about it, act on it. The opportunity is there. The fact is that for young people who are being drawn into the criminal justice system, the legislation provides for treatment, rehabilitation, therapy and educational programs right here and now. But the Premier and these Liberals and this government have been thoroughly irresponsible. They have been delinquent, they have been criminal, in their refusal to develop those same programs as they ought to have.

Mr D. W. Smith: I want to make some comments and express support for the private member's resolution put forth by the member for Nepean, a resolution on crime prevention. With the rapid growth of urban centres, the ready availability of dangerous illegal drugs and what some would describe as a decline in traditional family values in our society, it is more important than ever that government strengthen its stand in support of crime prevention.

As parliamentary assistant to the Minister of Correctional Services, I am honoured to be part of an administration that is active in the prevention of crime. In this role, I have been exposed to the suffering of those whose lives are touched by crime, those who have suffered personally as victims, those who have suffered indirectly, such as the families and friends of victims, and those who are themselves caught up in the criminal justice web. It touches even the average citizens of this province, who are called upon to support police, the courts and correctional programs through their tax dollars.

There are a good many reasons for the government to become involved in programs geared to preventing first offences, particularly among our young people, who may be more likely to be lured into criminal activity by curiosity, peer pressure or boredom, and I would just like to expand a little bit on those three things.

I think of the three children that we have raised or are raising—our youngest is still 16. You have to keep children at that age, I would say from 10 to 16 or 18, entertained. You have to have them doing something because their minds are very active, and certainly they have got lots of energy to burn off. I think it is a parent's duty to work at those young people or with

those young people as much as they can. I know in some cases this is very difficult, but I think there is a big onus on us as parents to deal with them.

I can think back to my younger days. If I am going to put that age bracket there, I guess I am going back at least 40 years. When you think of the different opportunities you have had from your own peers to maybe put a dare to you and say, "Do you want to do this? Will we go and try and steal an apple?" or something like that, that sometimes is the start that gets us all into trouble.

But I want to say too to those young people that you have to be able to evaluate just what is good for you at that moment and what may be good for you in the long run. I certainly think if you have got into trouble once, maybe you have run amiss of the law, you should not take the attitude that they are out to get you after that, because we all get into that wrong place at the wrong time from time to time. So I think I am going to say in my own personal way that we, as parents, have to do a lot in the crime prevention area.

But I believe in developing such programs. There are some lessons that can be taken from the correctional system in its attempts to prevent the recurrence of crime. We see in the correctional system people who are poor, people who lack the basic educational life skills to cope with the working world. We see people who are functionally illiterate, a term that describes as many as 70 per cent of those under institutional custody in this province. We see people with learning disabilities that have not been addressed by the mainstream educational system. We see people who are mentally and emotionally handicapped, people who have suffered abuse and neglect, people who are addicted to alcohol and drugs, people who have never been exposed to constructive leisure-time activity.

Education is certainly one answer to crime prevention, ensuring that citizens know and understand the law, ensuring that young people are aware of the pitfalls of negative lifestyle habits such as drugs and alcohol, ensuring that drivers are plainly aware of the consequences of impaired driving in graphic detail. I believe the police has a video now that you can take. If you have been given a certain charge, you may not have to pay the fine if you are willing to go and watch this very graphic video. It may teach you a lesson so that you will not want to do the thing you have just been charged with.

1130

Deterrence may also have some effect on crime prevention. The range of sanctions available to provincial judges presently include probation, community service orders, restitution orders, electronic monitoring, community residential supervision and institutional custody. But also the ministry is committed to expanding the range of options, particularly those in the community where the deterrent value of restricting personal freedom can be coupled with positive opportunities for rehabilitation.

Treatment can be a major contributor to crime prevention, making sure those with mental health problems have access to clinical services and support networks that they need in order to keep them out of trouble with the law.

Community participation is another important force in crime prevention. This has been demonstrated through programs such as Neighbourhood Watch, Block Parents, police auxiliary and other areas. In Correctional Services we have actively sought and received the support of thousands of volunteers to work with offenders both on the streets and in our jails and correctional centres. At this moment we have over 5,000

volunteers who are willing to work with the clientele we have in some of our correctional institutions and jails.

As a society, we have many responses to the problems to crime, but it is not sufficient to address these problems after the fact. The solutions need to be incorporated as part of a comprehensive preventive strategy in every facet of government interaction with the public: education, health care, social services, labour practices, culture and recreation, even tourism. I sometimes think myself that the sectors of society are so out of balance one with the other that that may be the real economic problem that causes some of our problems out there.

By sensitizing all areas of government to the need to adopt crime prevention strategy as part of their programs and service delivery, I believe we can make a positive difference to the safety and security of every Ontario citizen.

Mr Wildman: On a point of order, Mr Speaker: Just before I intervene in the debate, I would like to know, if the members of the Conservative caucus are not going to participate in the debate, is it possible to share their time with other members of the other two caucuses?

The Deputy Speaker: Yes, it is possible.

Mr Wildman: In that case then, how much time would I have?

The Deputy Speaker: Fifteen minutes.

Mr Wildman: I am not suggesting that I should take all of theirs. I am suggesting it could be shared between the other two.

The Deputy Speaker: I think we shall wait until the end in case some Tory members come up at the end. If at the end there is still 15 minutes, then at that point I shall share among the members the time.

Mr Wildman: But then people who have spoken would not be able to speak a second time.

Mr Kormos: Maybe the Conservatives are not concerned about crime.

The Deputy Speaker: Does your party still have some time left?

Mr Wildman: We have four minutes, but that is all.

I will participate briefly then. I commend the member for bringing forward the resolution. I understand the intent and I am very much in favour of it. But I think there is a danger in concentrating on statistics, because statistics can indeed show us that crimes, particularly violent crimes or crimes against property, are more often committed by young males who perhaps have not functioned well in our education system, for instance, than by other groups in society.

It might also indicate that certain ethnic groups might more often be charged and/or convicted than others, and there is a danger in extrapolating too much from those statistics. In my area of the province it could indeed be argued that if you are a young male Indian, you are more likely to become involved with the criminal justice system than if you are an older female of Anglo-Saxon background.

I think that is a very dangerous line to get into. Surely the intent of the resolution and the purpose for bringing it forward is to look at the reasons why certain groups might become involved with the criminal justice system more often than others and then to move to determine how we deal with those reasons and what should be done in our education system, in our provision of housing, in our training for jobs and in our economic system to try to change those propensities.

In essence, what we are talking about, I think, in this resolution is a social and an economic revolution, because if one were to argue that people who are poor are more often likely to become involved with the criminal justice system, or people who do not have a lot of work skills, or people who speak a different language or do not have the proficiency of literacy, or people who live in substandard housing or have suffered from family violence or have been exposed to alcoholism or drug abuse, then what we are saying is that we have to move to a better education system that meets the needs of those people, a social system that integrates those people into society, a system of provision of housing that ensures that those people are provided with decent housing and a system that deals with the problems of socialization that will deal with violence in our society.

In essence, what we are talking about is empowering the weak, and our system would then be threatened, because by empowering the weak we threaten the powerful. I am in favour of doing that. I think that this society indeed in many ways needs to be turned upside down, but I doubt very much that this government or any government, despite its good intentions, is prepared to do what is necessary to make those enormous changes in society that might indeed deal with the alienation that many groups feel in order to feel that they are integrated and are part of this society and have a role to play.

Mr Kanter: I am going to be speaking in support of the motion. I note that it deals with crime prevention and talks about a number of different public agencies that should be involved in crime prevention. While I certainly agree that education, housing, social services and health have significant roles to play, I would like to focus particularly on the important and positive role that the police can and should play in crime prevention.

I would like to speak briefly about community-based policing as an approach, about initiatives of the Ministry of the Solicitor General in the area of community-based policing and about some of the specific initiatives of Bill 107 with respect to community-based policing and crime prevention.

I think the philosophy, the approach to crime prevention is of particular importance here, and I think it raises some very basic questions. What is our best defence against disorder or crime? I would agree with the mover of the motion that it is the family at base. It is community institutions, schools and hospitals.

But I would submit that the police do have an important role to play. I think that policing is more than law enforcement or responding to calls for service. I think that the police have a role to play in helping people to improve and protect their neighbourhoods, that the police should work with citizens and help them identify and solve their problems.

What happens when crime occurs or perhaps occurs frequently in a neighbourhood? I think that community-based policing then has an important role to play. Community-based policing is not soft on crime, and I think that community-based policing makes law enforcement more effective.

Some very interesting research on this subject has been done in some jurisdictions, and I would particularly like to bring the attention of the House to a series of publications called *Perspectives on Policing*, which are published at Harvard University. They result from seminars between police officers, police chiefs, local municipal officers, academics and community leaders.

I think that kind of interchange between the police and various parts of the community on subjects like crime preven-

tion is extremely helpful and should be done more frequently here in Ontario. I think that this research shows that more criminals are caught by information provided by citizens when policing is done in a community-based way.

1140

Police forces in Ontario have established an excellent reputation for integrity and efficiency, but to maintain that reputation I think police forces have to put more attention on problem-solving, consultation with the community they serve and accountability to the community they serve, and I think that is starting to happen.

I would like to spend the rest of my time outlining some of the initiatives of the Ministry of the Solicitor General and some of the initiatives in Bill 107 that promote crime prevention from the police perspective, bearing in mind that it has a broader perspective, the perspective that the member for Nepean referred to in his motion, of other community-based institutions as well.

The Ministry of the Solicitor General has recently established a new division, the policing services division. It has the mandate for crime prevention initiatives in this ministry. I think it is important to note that this government has shown leadership in the responsibility for initiatives in policing. That is something that did not happen before. I had the privilege of serving in the past as parliamentary assistant to the Solicitor General and it was a time of great change and expansion within the ministry. Rather than just reacting to the problems that particularly some smaller local police forces experienced, it was a time of taking initiatives, at looking at standards, new programs and new organization to reflect this new concern.

There is now a new policing services division. It has the mandate for crime prevention initiatives. A project manager has been assigned. There is a province-wide network of both police and civilian practitioners known as Crime Prevention Ontario which is supported by the provincial Ministry of the Solicitor General. The ministry is putting more emphasis on crime prevention programming. It is developing resource manuals, both for police officers and community groups, and I understand these will be released later this month at the Ontario Association of Chiefs of Police conference which takes place, as I said, later this month.

The ministry is working with other groups concerned with drinking and driving, anti-drug strategy, the crime prevention committee that I mentioned and the Retail Council of Canada loss prevention committee, so the Ministry of the Solicitor General is getting involved in crime prevention. The ministry recognizes the importance of crime prevention and is actively pursuing the concept of crime prevention through community development, one component of social development that the resolution speaks to. The idea of community-based policing—and I think, again, the mover of the motion referred to this—the fact that there are different ways of approaching community-based policing, some of them things like target hardening, others a more preventive approach.

I must say, as a municipal politician before I was elected to this Legislature, I certainly took part in Neighbourhood Watch programs and programs of that type. I was concerned that their perspective, while important, may have been limited and incomplete, and I think the motion recognizes the complete range of initiatives we have to take if we want to be effective in crime prevention.

I want to conclude my remarks by making a few comments about Bill 107. It is important, I think, as our committee hear-

ings progress, that we spend most of our time listening to deputations. There has not really been a lot of opportunity for members to speak to this point, but I want to emphasize at least three ways in which crime prevention is very explicitly promoted by Bill 107, as we move from a Police Act that emphasizes law enforcement responding to crime to a Police Services Act that includes crime prevention as one of those services.

First, in terms of the responsibilities of the Solicitor General, he has a very much expanded responsibility to develop and promote programs for community-oriented police services. As I have said, community-oriented services include crime prevention. Second, there is a clarification, a very substantial clarification, of the role of municipal police services boards, the successors to the police commissions, a civilian group which must be in place in every municipality to direct the policy of the police force. This municipal police services board has explicit responsibility under the act. Section 31: "A board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality," and it goes on to expand and elucidate how that should be done. Again, that is a major initiative.

The third aspect is probably the most significant. The bill spells out the obligations of police chiefs and police officers for the very first time. The duties of a police officer occur in section 42 of the bill, "preserving the peace," and clause 42(1)(b), "preventing crimes and other offences and providing assistance and encouragement to other persons in their prevention."

I support the motion. I think that the philosophy behind it has been ably explained by my colleague, and I think that the importance has been recognized by the Ministry of the Solicitor General, particularly with the introduction of Bill 107, which is now before the standing committee on administration of justice.

The Deputy Speaker: As there is a 15-minute period available to the third party and nobody is here yet, I would like to be as fair as possible. I would like at this time to find out who would like to have some of that 15-minute period. The member for Algoma has indicated, even though he has already spoken, that he would like part of that 15 minutes. Is there unanimous consent to allow him to speak?

Agreed to.

The Deputy Speaker: Who else would like to speak, if anybody else?

Mr Wildman: Give some to the member for Nepean.

The Deputy Speaker: Of course, the end closure for the two minutes.

Mr Wildman: We could give him more time.

The Deputy Speaker: Would the member for Nepean want more time than his two minutes to end up?

Mr Daigeler: Yes, if possible.

The Deputy Speaker: How much?

Mr Daigeler: Well, we will just go on, and if there is time left—

The Deputy Speaker: In that case, why do we not split the 15 minutes both ways? Would that be fair enough? The member for Algoma for seven and a half minutes.

Mr Wildman: I appreciate the agreement of the members to allow us to use the time and to allow me to speak a second time, which is quite irregular. I am sure the absence of the

members of the third party in this debate is not an indication of their feelings about the motion. I know it is out of order to talk about the absence of a member in the House. I would just say that it probably means acquiescence and agreement to the motion.

Mr Daigeler: That is putting a good face on it.

Mr Dietsch: So when you miss the votes, that means you agree.

Mr Wildman: I would not extrapolate too far. I was talking about the danger of doing that a moment ago.

I do want to raise a couple of other problems that I think are spoken to in this resolution. I think my friend the member for Nepean indicated that in his view, I think he used the term "cops, courtrooms and cells" had not been very successful in dealing with crime in our society, and I agree with that. That is not a criticism of the police or the people who serve the bar, the people who serve on the bench, or the people who are involved in the correctional system. It is just that in dealing with policing we are talking about enforcement, we are talking about after the fact; we are not talking about prevention. It is almost similar to the health care system, where we deal with curative medicine and do very little in preventive health care.

The Deputy Speaker: We have a Conservative who has just shown up.

Mr Wildman: The problem with the resolution is, I do not know how we identify the cause of crime or the causes of crime in our society. For that matter, we do not even define what we mean by "crime." Are we talking about a whole spectrum, all the way from youthful vandalism, a minor crime against property, all the way up to more dangerous types of criminal activity or unlawful activity, illegal activity, such as break and enter, robbery, stealing, to violent crimes of assault and even murder? What do we mean by "crime"? Are we being all-encompassing? Frankly, a number of the things that many of us may have done in our youth which may have violated municipal bylaws or have even been a minor violation of the law to protect property, in my view, does not make the perpetrators criminals.

1150

Oftentimes, people become involved with the justice system and are convicted of offences simply because they are unaware of their own rights before the justice system. Many times people pay the price of poor education or being unaware. I think that we have to be very careful in this resolution as to what we mean by crime and also in identifying what causes people to become involved with the justice system.

I said that I agree that cops, courtrooms and cells have failed. They have failed in our society because we have an enormously high recidivism rate. People who are convicted and serve time, more often than not, within a not-very-long period of time are back before the justice system, before the courts, and are incarcerated once again. Rehabilitation, for whatever reason, has not been successful in most cases.

Most people who are convicted are, in fact, incarcerated with little or no psychological treatment. We are, in fact, just punishing people or keeping them off the street for a period of time; we are not in any way empowering them or influencing them to a different approach to life after they are released. We do not provide the facilities and the personnel that is required to educate people and to deal with their psychological and social problems. If we do not do that, we cannot fulfil the purpose of this resolution.

It is not just money. Obviously, we need to provide more funding for these kinds of services in our society. It is partly attitudinal, as the member for Nepean indicated. We have to be willing to do that, to be concerned about it. We cannot just want to punish people or keep them locked away. We have to try to determine why and who might become involved with the justice system, who might become a problem for himself or herself and for the society, and then be able to deal with those people.

This is a very, very big issue. I congratulate the member for bringing it forward before the House.

But I want to ensure that we all recognize that we are talking about major change, not just adjustments in how the police operate, in our society. Perhaps crime, like the poor, will always be with us. But as long as we accept that the poor are always with us, I submit that crime indeed will always be with us. Are we willing to attack the type of economic and social system that we have for so long accepted that indeed means that some people are poor, ill-educated and vulnerable in our society, while others are wealthy, well-educated and strong?

I appreciate the additional time.

I note that there is a member of the third party here. I hope that person will be able to participate in the debate.

I appreciate the member for Nepean allowing me to participate, as I have done.

Mrs Marland: Mr Speaker, I assume that although our party missed its turn, I may have some time. Is that correct?

The Deputy Speaker: We have seven and a half minutes on the clock. Is there agreement to that?

Agreed to.

Mrs Marland: Thank you, Mr Speaker. I will leave time for the mover of the resolution to sum up since he was anticipating that. May I apologize, first of all, that there was not anyone here from our caucus to speak in the normal rotation this morning. In my own case, we have had a small emergency in our office, so I am here pinch-hitting.

I want to read into the record, however, preceding my comments, the resolution of Mr Daigeler: "That, in the opinion of this House, recognizing that the Canadian Criminal Justice Association in their 1989 paper on Safer Communities has called on the provinces to play a major role in the promotion of crime prevention through social development, the government of Ontario should accept crime prevention as a significant and integral part of public policy, especially in education, housing, social services and health, and continue to create a social environment that nurtures respect for the law, peace and security of its citizens, but also addresses the root causes of crime."

This is a very creditable resolution. I congratulate the member for Nepean for bringing it to the House. I think it is also significant that the member for Nepean is a member of the government and he is giving a message through this resolution to his own government. I think it is important that a statement is being made here that we look at, as the words say, "the root causes of crime."

It is encouraging to note that in the wording the "especially" emphasis is in education, housing, social services and health. It is really refreshing to see for once that we are not attacking the policing of our province or the police officers throughout all the forces in Ontario with the problems of crime prevention.

I see this as a progressive approach to thinking, because too often—I may emphasize far too often—in the last few years the attack on the police forces in Ontario when we are dealing with

crime has been, in my opinion, unjust. We have had situations where police officers are in fact dealing with the end result of the voids in these areas that are so well addressed in this resolution, those areas of education, housing, social services and health. If we were to deal with those areas as priorities, I am quite sure that the job of policing in the total package of crime prevention would be made easier.

I always stand with pride to commend those people who are at the end of the problem dealing with criminality in our communities. Those people who serve to enforce law and keep all of us safe never receive the recognition that they deserve. I know there are different problems in different areas with different individuals, as there are in every job and vocation in this province today, but I feel that we should make the emphasis that is being recommended in this resolution in terms of crime prevention, and make the job easier at the other end in dealing with those people who commit the crimes and the people who serve to deal with those people in the criminal events. The police officers, the men and women of this province who serve to protect all of us, I am sure, would be very happy today to see a resolution of a government member suggesting that there are other ways to deliver programs of crime prevention in Ontario today. I look forward to supporting the resolution.

1200

Mr Daigeler: Thank you very much for the opportunity to speak. I guess I have four minutes now, with my closing two minutes and the two minutes that are left.

The Deputy Speaker: Three and a half.

Mr Daigeler: Let me thank, first of all, the members and the member for Mississauga South in particular who came in and I would say perhaps saved the credibility of the third party, because I do think the issue I raised is a very important one for public policy generally in this province and in fact in the country. It is recognized by the criminal justice association of Canada itself that we have to look at crime in a global and comprehensive fashion.

I would like to particularly thank as well the member for Algoma. As it happens, I must say I agree with him quite a bit. Perhaps one of the reasons I agree with him so much is that he has some very close relatives from Nepean and in fact those relatives are good Liberals. Perhaps that is where the connection comes in with the member for Algoma.

When he says we have to be very careful about statistics and drawing correlations too quickly, I absolutely agree with him. In fact, I stressed this in my speech. The member may not have been here at this particular point. It is certainly not in any way an automatic relationship between certain social characteristics such as poverty or single parenthood that they automatically lead to delinquency.

Nevertheless, we cannot fail to recognize the statistics that show, on the one hand, that we have certain factors—very highly concentrated public housing areas, income levels that are very low, education levels that are not very advanced—and, on the other hand, that we have people who have committed crimes. So while we have to be very careful not to say that if you are poor, therefore it will lead to delinquency, that we must avoid that, at the same time, and here again I agree with the member for Algoma, it does point out that we must be reformist or, as he has said, radical in our approach towards social policy.

While we may not have started a revolution and while we may not be able or want to start a revolution, I do agree with him that we want to start a reform. In fact, one of the purposes

of my motion is to encourage the continuation of the reform that we have already started, especially the social assistance reforms that, with the support of the whole House, were initiated by the former Minister of Community and Social Services, the member for Kitchener-Wilmot.

I do simply, with my motion, want to encourage all of the different ministries to look at their efforts towards social change in a very, very broad perspective, that it is not just of interest to their own particular ministries but that it has impact even on such things as delinquency, in particular also in the area of education, where early childhood education is so extremely important to set people on the right road towards responsibility in life later on. I am very pleased that the throne speech in fact has those goals set out.

The Deputy Speaker: This completes the time allocated for the debate on Mr Daigeler's resolution.

WASTE DISPOSAL

The Deputy Speaker: We shall first deal with Mr Morin-Strom's resolution. Mr Morin-Strom has moved resolution 53.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

We will have the vote deferred for a few minutes.

Vote deferred.

CRIME PREVENTION

The Deputy Speaker: Mr Daigeler has moved resolution 54.

Motion agreed to.

1210

WASTE DISPOSAL

The House divided on Mr Morin-Strom's motion, which was negatived on the following vote:

Ayes—13

Allen, Bryden, Charlton, Farnan, Hampton, Kormos, Mackenzie, Martel, Morin-Strom, Nixon, J. B., Philip, E., Pouliot, Wildman.

Nays—28

Adams, Bossy, Brown, Carrothers, Cleary, Cordiano, Curling, Daigeler, Dietsch, Elliot, Faubert, Fleet, Hošek, Kanter, Keyes, Leone, Mahoney, Mancini, Marland, Miller, Oddie Munro, Owen, Pelissero, Pollock, Ray, M. C., Reycraft, Roberts, Tatham.

The House adjourned at 1213.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

PRIVATIZATION OF
LABORATORY TESTING

Mr Kormos: Mr Speaker, let me tell you one more chapter in the health care horror show that the Liberals here in this provincial government are creating for people in Ontario.

As of 16 April 1990, at the Welland County General Hospital all lab testing of non-pre-operative patients is being contracted out. These services, which were originally provided internally and for which the facilities are there, are ones for which the hospital does not receive subsidization from the Ministry of Health. At the same time, when they are contracted out so that patients have to travel to private labs operating in the city of Welland, OHIP will pay for the lab procedure on a per-procedure basis.

It is incredible. In fact, some five employees have been displaced in the hospital as a result of this transfer of responsibility. In the last two years, five jobs have been eliminated because of what amounts to privatization of a service that ought to be provided by the hospital. It is nonsensical and indeed it is stupid that the Ministry of Health would be paying private labs to do a service that could be performed properly and appropriately in the hospital, but the problem is that it would rather finance and subsidize private corporations than its own health care system.

NATIONAL UNITY DAY

Mr McCague: On behalf of my party, I would like to congratulate the Ontario English Catholic Teachers' Association and president Eileen Lennon on its National Unity Day initiative. The teachers are currently organizing a simultaneous singing of O Canada by children across the country. This is in response to concerns that Ontario students have expressed about the fate of our nation.

The five-minute, coast-to-coast salute to national unity is scheduled for next Tuesday, 12 June. It will begin at 12 noon in Ontario. The Ontario English Catholic Teachers' Association has contacted teacher organizations across the country to encourage national participation. It is hoped that some five million children will sing the national anthem simultaneously.

We encourage our national leaders, who are struggling daily with the current constitutional crisis, to take note of this very special event.

AIR QUALITY

Mr Tatham: The Los Angeles basin contains some of North America's dirtiest smoggy air, but they are going to try three small activities to fight smog. The most unusual is the electric street planned for a section of Los Angeles by the city's department of water and power and Southern California Edison, a local utility. Each is putting up \$1 million.

It will involve stringing electric cables beneath 1,000 feet of roadway in a West Los Angeles development called Plaza Vista. The cables would be used to power electric vehicles that run on the roadway and to recharge their batteries. Initially, two modified vans and a specially designed electric passenger bus will ply the street. The vehicles are expected to operate within about a 20-mile radius of the development.

Second, Santa Barbara will soon be operating two electric buses, no wires overhead or underground, using self-contained batteries.

Third, Unocal, a Los Angeles-based oil company, will spend \$5 million by giving \$700 to the first 7,000 people who come forward with pre-1971 clunkers. The sellers will also be provided with a free bus pass for one month.

High-watt highways would be difficult in freeze-thaw Ontario, but fresh air is precious.

GOOD NEIGHBOUR AWARDS

Mr Farnan: Today I wish to applaud the leadership of the Cambridge Times for organizing the 1990 Good Neighbour Awards. These awards recognize the outstanding contributions of individuals, groups and businesses to environmental awareness in the Cambridge community.

Brian Reid, the editor of the Cambridge Times, was the driving force behind this project. His concept was accepted and supported by the Times publisher, Jim Merriam, and his staff. The response of the Cambridge community was enthusiastic.

The purpose of the project was to get beyond the enumeration of the threats that exist to our natural environment and to celebrate the vast number of local citizens who have altered our lifestyles or developed new ideas and projects to help turn things around. These range from new corporate policies to changes in family lifestyle to students' environmental projects. The award recipients ranged in age from elementary school children to seniors, and the awards ceremonies were well attended and meticulously planned.

It is expected of a community newspaper that it keep the residents informed on matters of community concern, and the Cambridge Times does this very well indeed. However, the community is blessed when the media go beyond this role and in a constructive and positive manner highlight the accomplishments of environmental role models.

So often we feel overwhelmed by the enormous environmental problems that we must face. However, the Good Neighbour Awards program initiated by the Times gives us hope that we can meet and overcome these environmental challenges. I would urge the Times to make this an annual event, and on behalf of the entire Cambridge community we salute the management and staff of the Cambridge Times.

NATIONAL ACCESS AWARENESS WEEK

Mrs Marland: Sunday 10 June marks the beginning of National Access Awareness Week, which has been designated to inform the public about the problems facing disabled persons. The theme for the week is, "Independence—That's Living."

It was a very special Canadian, Rick Hansen, who proposed National Access Awareness Week as a means for the public to learn about the importance of integrating persons with disabilities into all areas of society. We have come far in accommodating the special needs of disabled persons in Ontario. For instance, access to public and commercial buildings has been greatly improved, transit services have been developed in most urban areas, and employment opportunities have been broadened.

But we still have a long way to go. Disabled persons living in rural areas do not have adequate transportation services, and those in some urban areas have to book rides several days in advance. The number of people requiring attendant care ex-

ceeds the supply by 3 to 10 times. We are waiting for the government to fulfil promises regarding employment equity, integrated housing and support services.

During National Access Awareness Week, it is important for us all to review access to employment opportunities, financial security, transportation, buildings and recreation. Only with full access can disabled persons achieve the independence that is necessary to lead a full and enriched life.

HERITAGE CONCERT

Mr Dietsch: It is with great pleasure that I rise today to inform my colleagues in this House of a very special concert taking place in my riding this evening. The Peninsula Music Club Orchestra and I are proud to co-sponsor a heritage concert to benefit the British Methodist Episcopal Church restoration fund.

The church, located at 92 Geneva Street in St Catharines, will be celebrating its 135th anniversary in November. It has played an integral role in the history of our city. Originally built by runaway slaves who had fled the American south, the church was closely tied to activities of Harriet Tubman, one of the most famous conductors of the underground railroad during the early and mid-1880s. Today the church continues to serve as a place of worship as well as a guardian of black heritage and culture in our community.

The program will feature the talents of the Peninsula Music Club Orchestra, the Laura Secord Quintet, the Garden City Brass Quintet and the Workman Gospel Quartet as well as performances by the members of the British Methodist Episcopal Church congregation.

I would like members to join with me in expressing my deep appreciation to the numerous businesses within our community who so generously donated to the fund to help make this evening possible. We give special thanks to Helen Smith of the BME church, whose drive and determination will make this restoration project a reality.

1340

TAXATION

Mr Hampton: From time to time in our work representing our constituents, we meet a constituent who focuses our attention on the real world. Recently I received a letter from a constituent who asks, "Why is our tax system the way it is?" She gave me permission to read part of her letter, because I think it says a lot about the tax system we have here in Ontario. She says:

"I have a problem to understand about taxes, why the poor have to pay more taxes than the wealthy. I am a widow. I live in my own house. My pension is only \$11,940 a year. I am 64 years old. I had to retire last year on account of poor health. My back gave out. I used to be a housekeeper in the hospital.

"They say that the poverty line is \$15,000 a year, so it means I live under the poverty line. I don't have any other income, only my pensions: Canada pension and a hospital pension. When I filled out the income tax this year, I had to pay \$967. How come?

"I cannot live in poverty. I cannot eat good. One pension I save to pay property taxes and house insurance. At the end of the year I need \$2,000 just to pay the property taxes, the house insurance and the income tax. The other pension I live on. But I don't eat well. I don't eat meat. Last week I went to the doctor because I wasn't feeling well. He told me it's because I'm not eating very well. I should eat better."

MINISTRY OF NATURAL RESOURCES STAFF DAY

Mr Jackson: I read in today's Toronto Sun newspaper that the Minister of Natural Resources has cancelled her now-famous fun-in-the-sun staff picnic which I raised in the House two days ago. At that time, I suggested to the minister that forcing civil servants to attend an all-day pool party and steak barbecue could hardly be considered a service to the taxpaying public. I can only assume from the minister's decision that she agrees with me.

The minister has indicated that the focus of that day, as opposed to the cost, was her primary concern. We are reminded on an annual basis by the Provincial Auditor that the cost to the taxpayer has never been a major concern to this government, be it the cost of a picnic or a policy, the dry-cleaning or the Christmas parties of cabinet ministers. The Premier and his cabinet seem to think that simply because they hiked tax revenues by 132% since taking office they can spend it any way they please. That attitude is unacceptable, particularly at a time when, because of those tax hikes, taxpayers have to do more with less and when in spite of those tax hikes our hospitals, universities, school boards and other agencies are being asked to do more with less.

The minister's decision provides us with a rare demonstration of common sense on the part of a member of the Peterson cabinet. However, like the Premier's own sudden case of pre-election morality, I suspect that this decision is more the product of political expedience than it is of good judgement.

TOWN OF DRYDEN

Mr Mclash: A couple of weeks ago I took pride in handing out to my colleagues in the House a supplement to Trade and Commerce magazine 1990, entitled Dryden, Town of the Decade.

Dryden is truly the town of the decade. Situated in the centre of my riding, it services some 10,000 people. It has grown and prospered with a solid foundation in the forest industry. As well, the town has been blessed with insightful leadership and more than competent municipal administration to create an appealing and privileged community, complete with all the amenities of any major community.

When it comes to the people of Dryden, I must only refer to the comments made by my colleague the member for Peterborough, who after his first visit to the town said, "I can report that the residents of this important part of the province are enthusiastic, hardworking, well organized and extremely well informed." I share his comments.

During visits to Dryden by my fellow caucus members, cabinet members and the Premier, we are often quoted the town's motto: "Dryden is carved from the wilderness and progressing with the wise use of natural resources." The mayor, Tommy Jones, is always quick to point out that its most valued natural resource is its citizens, and as witnessed by both visitor and resident, Dryden is a great little town with a sense of community.

Might I ask that my fellow colleagues join me in congratulating this, the first ever town of the decade.

Hon Mr Ward: I wonder if we could have unanimous consent to honour Portuguese National Day.

The Speaker: I will put your request to the members. Is there unanimous consent?

Agreed to.

PORTUGUESE NATIONAL DAY

Hon Mr Wong: Today marks the annual celebration of Portuguese National Day. It is a time to celebrate Portuguese life in Ontario. It is also a time to stop and reflect on what it means to live in our great province.

This government is committed to ensuring that all the people of Ontario have the opportunity to participate fully in our multicultural society while retaining and sharing their identities and cultures. As Minister of Citizenship and minister responsible for multiculturalism, I have the responsibility to oversee our progress towards this goal and to serve as an advocate for our multicultural communities to my cabinet colleagues.

Multiculturalism is a reality in Ontario, lived daily by people of diverse cultures and races. It embraces the rich cultural and racial heritage of every person in our province. This dynamic concept of multiculturalism embraces those in the Portuguese community.

It is especially significant that by celebrating Portuguese National Day we are not commemorating a battle of war but the memory of Luiz de Camões, Portugal's national poet, whose legend has survived long since his death in 1580. This is an example of the pursuit of peace and harmony through one's nationhood. This day honours a true cultural hero and not a latter-day warrior or political liberator. This exemplifies the ideal to which the people of Canada and Ontario aspire: a society of peace, acceptance and understanding. This is a goal we all share.

On behalf of the Ontario government, I extend best wishes for a successful national day weekend.

Mr Farnan: If there is one fact I want to stress in recognizing the national day of Portugal, it is the warmth of the Portuguese and Portuguese Canadian people. I am not just referring to the wonderful and colourful religious festivals, processions and fêtes; I am talking about their everyday kindness, generosity and friendliness. They are our co-workers, our neighbours and especially our friends.

I happen to represent the riding of Cambridge, and in that community we have approximately about 14,000 Canadians of Portuguese origin. In Ontario we are probably talking of some 300,000 Canadians of Portuguese origin.

I happen to live in a neighbourhood in which the vast majority, certainly well over 50% of my neighbours, would be of Portuguese descent. I think of my next-door neighbour, Carlos, and his fine family, Tina and Leo across the street, Maria and Antonio down the street, and I can say that one could not wish for better neighbours.

But it goes beyond that, it goes way beyond that, because the Portuguese community in Cambridge, as in other communities across the province, has made a very significant contribution to the economic prosperity and the social and cultural fabric of our province and of our communities.

Among the traits of the Portuguese community, I would say that foremost is the strong family commitment, the love that exists in the family, the manner in which they strive to create opportunities for the advancement of their children, encouraging them to work in the educational system and encouraging them on into the fields of business, the professions and academia, their strong tradition in their religious beliefs and their pride in preserving the unique heritage of language, music, dance and celebration and encouraging the continuance of centuries and centuries of customs and traditions by passing them along from generation to generation.

1350

In Cambridge, our Portuguese community is looking forward to celebrating next year the 25th anniversary of the Portuguese parish. In order to celebrate that anniversary, they decided they wanted to do something tangible and worth while for the community. That is typical of the Portuguese within Cambridge.

So they decided they wanted to build a housing project. This was the inspired idea of Father Antonio Cunha, and he has put together a board, including José Sousa, Germano Bairos, John Raposo, José Escobar, Edouardo Madeiros, Virginio Paquette, Edouardo Pareira, Adelino Pinto and José DaRosa. What a monument to their presence in Canada that they would want to be at the forefront in addressing the housing needs of this province and of their own beloved community of Cambridge.

The minister is quite correct; when the Portuguese people looked to choose a national hero, they did not choose a warrior. They did not celebrate a war. They chose a poet. Luiz de Camões is a celebrated poet of the Portuguese people and the greatest figure of Portuguese literature.

There is so much in the history of Portugal, from the age of discovery on down. Indeed, Luiz de Camões wrote an epic poem, *Os Lusíadas*, in which he wrote, "The Portuguese gave new worlds to the world." We are extremely proud to have within Ontario and within our communities people of Portuguese descent. I personally am very proud to represent one of the largest communities in Ontario.

Mrs Marland: On behalf of the Progressive Conservative Party, I am delighted to pay tribute to all Ontarians of Portuguese ancestry as they prepare to celebrate their national day this coming Sunday 10 June.

Many countries observe national days which commemorate past glories, battles, revolutions or independence. Portuguese National Day commemorates its illustrious lyric poet Luiz de Camões, who died on 10 June 1580. This tells us a great deal about the soul of the country and the people. It is said of de Camões that his epic narrative of Portuguese achievement, *Os Lusíadas*, is the greatest of all Renaissance epics, patterned on the Roman poet Virgil. No others approached de Camões in inspiration or poetic gifts.

Large-scale Portuguese immigration to Canada began after 1950. Since then, a steady stream of people have been coming to Ontario in search of opportunity for themselves and their families. Most of them settled in greater Toronto, others in cities throughout the southwestern part of the province. The first Portuguese club in Toronto started in 1956 and became a popular centre for community activities. Many other clubs and associations have since been formed to fill cultural, recreation and social needs. These organizations also help newcomers to adjust to life in a different country.

In my city of Mississauga we are fortunate to have a large and dynamic Portuguese community that is an integral part of our cultural mosaic. When Jack Almeida, one of the central figures in the Portuguese community of Mississauga, passed away last January, we all mourned the loss of one of Mississauga's most outstanding citizens. He was the founder of the Portuguese Club of Mississauga, and Jack was also a key organizer of Carassauga and a member of the immigration and refugee board.

Our province has been greatly enriched by various ethnic communities, and the vibrant people of Portuguese origin have made an important contribution to the quality of life wherever they have settled. An example of a typical quality of family life

which stands as a role model for us all is the family of Maria and Manuel Goulart and their two sons. Their example is to all of us who came to this country as immigrants.

We are very happy today to extend our best wishes on this wonderful occasion to all our friends in the Portuguese communities around Ontario.

STATEMENTS BY THE MINISTRY

NATIONAL ACCESS AWARENESS WEEK

Hon Ms Collins: Starting Sunday, people will be celebrating National Access Awareness Week across Ontario and across Canada.

It is an important opportunity for each one of us to become more aware of the achievements and talents of people with disabilities. It is also a time to look closely at the accessibility of employment, education, recreation, housing and transportation in our communities. Do our communities offer people with disabilities a chance to fully participate?

This is the third annual National Access Awareness Week, and 50 Ontario towns and cities are holding special events across the province. Government, disability organizations, business, municipalities and community groups are working together to ensure that the progress towards integration continues.

Our combined efforts are necessary if we are to remove the greatest barrier to integration for people with disabilities: outmoded public attitudes. When people with disabilities are excluded from the mainstream of community life, we all lose. National Access Awareness Week promotes better understanding of the contribution and the still greater potential that people with disabilities bring to Ontario's social and economic life.

This special week is an excellent example of community-based participation and involvement. While government can do a great deal to remove obstacles for people with disabilities, growing public acceptance and support for integration ensures that gains will continue to be made.

Ontario kicks off National Access Awareness Week this Sunday afternoon at Queen's Park. Members have been invited to attend the ceremony, which opens an important week for all of us who believe in equality.

ONTARIO SPECIAL OLYMPICS

Hon Mr Offer: It gives me great pleasure to announce the fourth annual Ontario Law Enforcement Torch Run in support of the Ontario Special Olympics. The torch run is a volunteer fund-raising activity of Ontario police departments and is sponsored by the Ontario Association of Chiefs of Police.

As part of the windup of weeks of fund-raising runs across the province conducted by the police, a ceremonial run around Queen's Park will be held later today. About 20 Ontario Provincial Police officers and Ontario Government Protective Service officers will be taking part.

The Ontario Special Olympics provides training, fitness and recreational programs for persons with disabilities. Currently, there are almost 5,000 people registered as Special Olympians in Ontario.

Last year, 3,200 police runners raised more than \$310,000 in support of the Special Olympics in a series of relays totalling more than 5,000 kilometres. This year, there are eight relays comprised of representatives from every participating police service in Ontario. A ceremonial final relay will lead into the SkyDome before tonight's Toronto Blue Jays game. Tonight at

the SkyDome, 700 Special Olympians accompanied by 800 police officers will be on hand to cheer on our Toronto Blue Jays.

I hope the people of Ontario will join the police of the province in supporting the Special Olympians and join me in cheering the good efforts of the police. The direct involvement of police volunteers has brought new opportunities for Special Olympians. The training and recreational activities resulting from this volunteer effort have improved and enhanced the physical development and quality of life of those with developmental disabilities.

I am sure that all members of this House will join with me in thanking the police who volunteered to help the Special Olympians.

1400

OCCUPATIONAL HEALTH AND SAFETY

Hon Mr Phillips: I would like to advise the members that later today I propose to bring forward a number of amendments to Bill 208, An Act to amend the Occupational Health and Safety Act.

Of those amendments, there is one that I would particularly like to bring to the attention of the House. That is an amendment which would improve the ability of public sector employees to respond to health and safety risks in their workplaces. Currently, these workers are excluded from exercising these responsibilities.

The workers that will be affected by the amendment include police officers, firefighters, correctional officers and most health care workers. This amendment would give these workers formal mechanisms similar to those that have been in place for private sector employees for the past 10 years. This would include the right, within certain limitations, to avoid occupational hazards. At the same time, we have carefully built in assurances that recognize that public health and safety will continue to be placed first and foremost.

Public sector workers will have the right to refuse to do dangerous work provided certain conditions are met: (1) if the refusal does not endanger the life, health or safety of another person; (2) if the danger in question is not an inherent part of the employee's work, and (3) if the danger in question is not a normal condition of employment.

For example, a police officer could not refuse to intervene in, say, a robbery attempt on the grounds that the suspect was armed and therefore the work dangerous, nor could the officer refuse to police a particular area or location because it was considered dangerous. Such situations are inherent in the job. However, a police officer could, before beginning a day on patrol duty, refuse to do so in a vehicle that had faulty brakes.

Similarly, a firefighter could not refuse a dangerous task that arises while responding to a firefighting emergency. He or she could refuse to handle firefighting chemicals that were being incorrectly stored.

In another example, an experienced medical lab technician could not refuse to handle a blood sample from a patient with an infectious disease in the course of his or her regular work, but the technician could refuse to test for a highly infectious virus where proper protective clothing and safety equipment are not available.

These examples may give the members some idea of how the amendment would affect public sector workers.

This amendment will enable Ontario to join all the other provinces and the federal government in giving public sector

workers greater rights and responsibilities in dealing with workplace hazards. I am confident, based on other Canadian experience, that extending these rights will result in improved health and safety for public sector workers.

There are a small number of other amendments to the bill which I will bring forward. One amendment focuses on the logging industry, and it will clarify the responsibilities of those holding timber licences. Another amendment would maintain the present definition of work that may be refused.

I look forward to bringing these amendments before the House later today.

RESPONSES

OCCUPATIONAL HEALTH AND SAFETY

Mr Mackenzie: We are pleased to see the amendments that are coming in, in terms of public sector workers' right to refuse, or at least to deal with hazardous situations. I should, however, tell the minister that there never was an intent to refuse many of the jobs he outlined trying to sell this piece of legislation, and I think the minister knows that.

The tragedy of this amendment—and we do agree that it improves the legislation as it now stands—is that it is, in effect, the federal legislation and we are breaking no new ground. It would have been so much more effective for Ontario to have given the public sector workers the same rights that other workers have in terms of unsafe jobs.

NATIONAL ACCESS AWARENESS WEEK

SEMAINE NATIONALE POUR L'INTÉGRATION DES PERSONNES HANDICAPÉES

Mr Allen: I want to join with the Minister without Portfolio responsible for disabled persons in encouraging all members and all citizens of Ontario to participate as actively as possible in next week's recognition of the handicapped and disabled in our community and once more to galvanize our efforts more securely and strongly to see that their full integration into the life of our society and all of our communities is finally complete.

I think that there has been in recent years quite a parade of films, books, announcements and activities, voluntary sector and otherwise, which have called attention to all the remarkable abilities that often lie hidden behind the wall of difficulty that persons with handicaps have. The recognition and involvement of them and their abilities in our communities in a full and adequate way would enrich us all, so in all areas, whether recreation, transportation or employment, whether in work, play or education, those opportunities need to be there fully and completely for disabled persons.

But given that this mood has changed so much, I am very surprised that the minister refers to the fact, as she sees it, that the greatest barrier to integration is in outmoded public attitudes. The public is accepting, ready, waiting and the handicapped and the disabled are still in need. I suggest to the minister that perhaps the attention ought to be drawn a little bit more closely to the fact that when we come to install transportation networks, in a grand recent announcement, for example, there was no clear provision for elevators in Metropolitan Toronto subway stations; that GO Transit is not integrated; that, for example, our party has had to wait five years since the government opposite was committed to an employment equity bill for the disabled and other persons in 1985 under the New

Democratic Party-Liberal accord which brought this present government to power. Five years later there is still no bill.

I ask you, Mr Speaker, where is the will that is lacking? Where is the vision that is lacking? It is not with a public that has outmoded public attitudes; it is with a government that has not undertaken the actions that are appropriate and necessary vigorously enough, sufficiently enough, in order to see that the handicapped, the disabled, have an integrated place, a full station, of equivalent benefit, equivalent access and full enjoyment of life as individuals in our society.

La semaine nationale pour l'intégration des personnes handicapées est l'occasion, pour chacun d'entre nous, de prendre davantage conscience des réalisations et des talents des personnes qui ont un handicap. Ce sera également le moment d'examiner attentivement l'accessibilité aux emplois, à l'éducation, aux loisirs, aux logements et aux transports dans les localités. Les personnes qui sont handicapées n'ont pas, jusqu'ici, la possibilité de participer pleinement aux activités de la collectivité.

ONTARIO SPECIAL OLYMPICS

Mr Kormos: We join with the Solicitor General in congratulating and applauding those police officers and other law enforcement personnel participating in the fourth annual law enforcement torch run today. They are to be thanked for their efforts, which have created new opportunities for developmentally disabled people. At the same time those people who participate in the Special Olympics as Special Olympians are to be congratulated for their extra effort and for their excellence within their own frameworks.

Down in Niagara region we are, quite frankly, accustomed to police officers being participants in volunteer work. People like Wayne Mills and his long-time work in hockey coaching; Rick Geedy in the Boy Scout movement; Ernie Clayton in young people; Peter Race and Ray Crown with the Optimist club. These are all police officers who have also gone that extra mile.

Mr Runciman: My party wants to join with the Solicitor General and other members of the Legislature in saluting the police officers in the law enforcement torch run on behalf of the Ontario Special Olympics.

As we know, police officers across this province in the past period of time have been subjected to considerable criticism in some quarters, and I think that the efforts by the police in respect to what they are doing for the Special Olympics in Ontario once again indicate quite clearly what kind of significant role police officers play in our society, not simply jobs enforcing law but their off-duty participation in numerous community activities. I know we see them always in the schools and the community centres alerting members of society, especially children, against the dangers of illicit drug use, bike riding and a host of other things.

In our own building in the Queen's Park detachment I know that Constable Deb Walker has raised in the neighbourhood of \$850. I know that Constable Walker is a very persuasive lady in blue indeed and that most members of this assembly have been touched by Constable Walker in respect to this particular fund-raising effort. I want to congratulate Constable Walker and all the men and women in blue who are participating in this most worthwhile event. It reinforces the Progressive Conservatives' view and the view, I believe, of most Ontarians that indeed cops are tops.

OCCUPATIONAL HEALTH AND SAFETY

Mrs Marland: In responding to the statement from the Minister of Labour, I just want to refer to where he talks of "mechanisms similar to those that have been in place for private sector employees for the past 10 years," where he is talking about the changes to Bill 208 for the public sector. Obviously, if it has been there in the private sector for 10 years, the government could have done this a long time ago.

He also refers to another amendment that would maintain the present definition of work that may be refused. We do not know what the present definition of dangerous work is and the minister appears to change it daily. We also want to look very quickly at the chronology of this bill and look at the announcements of Bill 106 in 1987, Bill 208 in January 1989, government amendments to Bill 208 in February 1990, and now we have today's.

Anyway, in our opinion today's announcement is insulting to the public sector employees. Only on their fourth swipe at occupational health and safety in Ontario did they get it right. Well done, perhaps, but why could this not have been done sooner?

NATIONAL ACCESS AWARENESS WEEK

Mrs Marland: In also speaking to the statement today by the Minister without Portfolio responsible for disabled persons, I just want to say at the outset that in her statement where she says they should have time "to look closely at the accessibility of employment, education, recreation, housing and transportation," about transportation I would ask that minister, what about transportation at the Toronto Transit Commission and access in a real sense of the meaning of that word for people who live in Metropolitan Toronto?

Also, their commitment to employment equity is very weak. We have had five years of promises and throne speeches and we have had a result of nothing.

I think, on a positive note, that it is important to use this opportunity to recognize and thank from the bottom of our hearts all those volunteers who work every day of their lives to help people in this province who have disabilities, people who, I might say, shine in the example of a family like the Cleary family in Mississauga which started the Peel Association for Handicapped Adults. Mr Cleary actually died last year, but that is a family which for 20 years has devoted its life to the wellbeing of people with disabilities, and we congratulate and thank them all.

Mr Jackson: On the occasion of National Access Awareness Week I would like to invite the Minister without Portfolio responsible for disabled persons to use this occasion to convince her government that it should not be one of the only provinces in Canada that discriminates against handicapped children who attend independent schools.

We have a health care program in this province that is specifically denied to children in independent schools. We have agreement from the minister that it is wrong. We have agreement from the Minister of Education that it is wrong, and even from the Minister of Health. Let's stop blaming each ministry and let's start helping children like Wally Elgersma and the hundreds of other students like him who are denied health care just because they are handicapped and in an independent school.

ORAL QUESTIONS

PATRICIA STARR

Mr Reville: My question is to the Deputy Premier. Mrs Patti Starr has made serious allegations that a high-ranking member or high-ranking members of the Peterson government told her how to launder political contributions. In the Toronto Star she refers to "very, very senior people." In the Globe and Mail Mrs Starr describes "a 'major, senior' figure in Mr Peterson's 1985 cabinet."

Most Ontario political observers would say that the senior people in the government include the Minister of Education, the Attorney General and the Deputy Premier himself as probably the most senior. Will the Deputy Premier assure us that he has made the appropriate inquiries and will he now confirm that none of those ministers I have mentioned is Mrs Starr's coach?

Hon R. F. Nixon: I read those allegations in the press today. I consider that is all they are. There are charges that have been laid. Investigations have gone forward. The Commission on Election Finances has some responsibility in this regard to review it. I have taken no other action.

Mr Reville: I am not aware that charges have been laid as yet in connection with the allegations of improper use of charitable funds. I understand there is a charge of fraud pending against Mrs Starr with respect to moneys received from a ministry.

The day after Mr Ashworth resigned the Premier called a judicial inquiry and spoke very strongly about his intention that no stone should be left unturned so that the public could know all the details in this unfortunate matter. As we all know, the Houlden inquiry was stopped by the Supreme Court, but now Mrs Starr has certainly turned over a very mean stone.

I wonder if the Deputy Premier does not now feel it is time to constitute a new inquiry, one that will not offend the Supreme Court, but one that will reveal for all to see, as his Premier wanted, the facts in this sorry affair.

Hon R. F. Nixon: I am sure the honourable member is aware, as he recounted to the House, that two levels of the courts supported the founding of the royal commission and its terms of reference and the Supreme Court turned it back, saying it was too much like a police investigation, so it was quashed. Police investigations continue. The election expenses commission has, under the act passed by this House, the responsibility to pursue it as it sees fit. My view is that the system is working appropriately.

Mr Reville: It is possible that during the course of possible hearings in the courts the name or names of senior people in the government will be revealed. It is not, in my view, the best way to deal with these matters. As we have said over and over again in this House, we believe it is important that the public have a chance to look at the relationships between this government, the development industry, particular developers—although if we do not name specific developers we will not offend the Supreme Court—and the whole question of planning in our regions.

Mr Reycraft: Vigilante movement.

Mr Reville: I do not think it is a vigilante movement at all. I think these allegations concern the Deputy Premier as well as concern all members of this House. He would not want it to be thought by any member of the public that in fact a senior member, one of his colleagues, was involved in this. I wonder what comfort the Deputy Premier is prepared to give the people of Ontario and the House today on that matter.

Hon R. F. Nixon: I appreciate the reasonable approach to this very important subject taken by the honourable member, but I remind him of something that everyone knows, and that is that the election expenses commission represents all political parties and is completely independent of political influence. As a matter of fact a former leader of the New Democratic Party is the chairman, a highly regarded person known personally to us all, who is irreproachable.

The statute gives substantial powers for investigation in matters. If there is some indication that some law has been broken or evidence has been given in relation to related charges by Mrs Starr or anyone else, the police can take appropriate action. My own view is that this is sufficient and that it is working reasonably. I do not for a moment say that it makes me comfortable, but I believe the structures are there to see that truth is revealed and justice is done.

FOREST MANAGEMENT

Mr Wildman: I have a question of the Minister of Natural Resources regarding the letter she sent to me as well as to others dated 5 June, which I received that same day, re the forest policy review which is to be initiated and carried out by Professor Peter Pearse of the University of British Columbia, to be completed by autumn 1991, about the same time that the Ministry of Natural Resources would be making its final arguments before the Environmental Assessment Board.

In her letter the minister says, "I want to emphasize that this policy review will not duplicate or pre-empt the ongoing environmental assessment dealing with timber management." "The need to develop an overall forest policy for Ontario—that reflects the priorities of the public and the provincial government—has become more clear in recent months."

Did the ministry come to this awareness of the need for an overall policy because of its own dissatisfaction with the case it put before the Environmental Assessment Board, now that that case has been subjected to counterevidence by the intervenors? Is this an attempt to pre-empt or end-run the environmental assessment process?

The Speaker: Order. The question has been put.

1420

Hon Mrs McLeod: No. In fact, as the letter quite clearly says, this is not in any way an attempt to pre-empt or to duplicate any part of the class environmental assessment process. The decision to have Dr Pearse come in to do a review of how we can go about preparing what will be an overall forest policy statement which integrates, and clearly shows how we integrate, the other components of our forest management policies was made because we have a number of initiatives that are ongoing, all of which become a part of forest management in an integrated approach to forest management.

In class environmental assessment we are dealing specifically with the issue of timber management planning processes. In another forum we are dealing and have dealt with the development of new fisheries policy. We are dealing with the development of a new wildlife policy. We have a wetlands policy that has recently been out for consultation. We have been asked by environmental assessment to develop a new timber production policy and table that with the environmental assessment panel. We have also in recent months had an increased concern with the management of old-growth ecosystems.

It was our sense that with all of these initiatives we had to have an encompassing, integrative, overall forest policy

framework statement. Dr Pearse is going to assist us in determining how we can develop that.

Mr Wildman: That was very similar to the comments made by the minister in the estimates hearing on Tuesday, but is it not the case that in a class EA into timber management in the province, the ministry is responsible for integrating all the various aspects of forest management with its timber management? The evidence provided before the EA has indeed shown that the ministry is not very good at that integration.

Does the minister not admit that the Environmental Assessment Board has the mandate and the breadth of mandate to deal with overall forest policy and that this is what the EA is about and that now she is duplicating that by implementing this study by Dr Pearse?

Hon Mrs McLeod: I think there has been considerable discussion, specifically about the work that is being done by the EA board, with MNR, as the proponent, having put forward the purpose of the undertaking, being to provide a continuous and predictable supply of wood for the Ontario forest products industry, which clearly takes us into the question of access, of harvest, of renewal.

Obviously we recognize as a ministry, as other intervenors at the EA panel have recognized, that those very questions themselves raise questions about fisheries management, wildlife management, the whole question of sustained yield. Clearly what we believe we are practising as a Ministry of Natural Resources is integrated forest management. That is our commitment.

We would agree that we have learned in the course of the class environmental assessment that there are areas of concern. We in fact have had previous reviews undertaken because we ourselves had questions and concerns about how well we were managing different aspects of our forestry. We are constantly prepared to learn, to improve. In this case I think that at the class EA the lack of a broad forest policy statement presented some concerns at the EA. It continued to be a concern for us and that is what we are addressing.

Mr Wildman: Surely we have been asking the Ministry of Natural Resources to produce that kind of a policy statement for many years now, going back to my predecessor from Lake Nipigon in this role here on our side of the House.

Does the minister not agree that the Environmental Assessment Board, in making its ruling at the end of this process, will in fact be making decisions not just on timber production and supply, but on how the production and supply of timber will affect wildlife, fisheries, parks and all of the other aspects of forest management in this province? If that is the case, does the appointment of Dr Pearse not indicate that the ministry itself does not have faith either in the evidence that it proposed before the EA or in the EA to make an overall forest management statement as a result of the hearings?

Hon Mrs McLeod: I would express appreciation for what I think was indirect support for the initiative that we are taking in having Dr Pearse do this review of the policies we have in place and are developing, and the fact that we are attempting not only to say clearly how we see those policies as being integrated, but be perceived as carrying out integrated forest management.

I had already indicated that I think it is very difficult to separate out the timber management planning processes, the concerns we have in harvest and renewal, from the issues of fisheries and wildlife management. Quite clearly that is the kind

of thing we are trying to do in developing our policies in each of those other areas.

In the case of timber production policy specifically, as I indicated the environmental assessment panel has asked that we table a new timber production policy with the EA panel so that it can examine that. I would fully expect that at the end of the EA process there would be a number of recommendations which could potentially affect our policies in different areas of forest management that we would want to look at and incorporate.

In the meantime we are committed to practising the best management we can. That is why we are undertaking this initiative.

PATRICIA STARR

Mr Runciman: My question is to the Deputy Premier and deals with some of the allegations attributed to Mrs Starr in the media this morning. I am sure the Deputy Premier will appreciate, given the record of resignations for reasons of conflict of interest and bad judgement which the cabinet has set in the past five years, that we on this side of the House assign some degree of credibility to Mrs Starr's charge that a major, senior member of the Peterson cabinet coached her on ways of manipulating the election finances laws.

I want to remind the Deputy Premier that last June the Premier gave his "personal assurance that those whose performance has been found wanting will be discovered. Those who have erred will be punished." Is the Deputy Premier indicating to the members of the assembly and the public today that based on the allegations in the media, he is not concerned and is not going to direct officials within government to conduct an internal investigation to see if there is indeed any truth to the charges made by Mrs Starr?

Hon R. F. Nixon: There is very little more I can say to the honourable member than what I have already said to the House. We feel the structures are there for any kind of an investigation that might be seen to be necessary by independent authorities. We think those will be going forward if necessary. This matter has been before the public and before the House now for a full year. Certainly it has not been comfortable for us, or for anyone, but we feel that the system, as it was established frankly by the previous government, has essentially remained unchanged, with the establishment of the commission and so on and it is a reasonable way for the process to work out.

Mr Runciman: Perhaps there is another approach with respect to the Deputy Premier talking about the election expenses commission and the fact that there are representatives of all the major political parties serving on that. He has also not expressed any concern about some of the comments publicly made by Mrs Starr and others with respect to the charges that are pending, the fact that there were allegations made with respect to members of this assembly—and put aside that most of them were Liberal members of the assembly—and the fact that because of a statute of limitations and for whatever reasons the commission now finds itself not in a position to proceed with charges against any member of this assembly.

I think Mrs Starr makes a valid point in the media when she says to look at people like chief financial officers and herself being charged by the commission while elected people who accepted those contributions are not being charged and are not going to be subjected to the kind of scrutiny that her actions and those of others are being subjected to.

Does the Deputy Premier have any concerns about that aspect of what has happened? Is he prepared to launch an investigation to indeed see if anything untoward occurred?

Hon R. F. Nixon: Of course I have concerns, as anybody in this House would. As a matter of fact some people designated me in the question period earlier as a senior cabinet minister. We are all under that kind of cloud and under a shadow.

I believe that if the election expenses commission has some doubts—the statute of limitations, as I understand it, was referred to not by it but by another official who may or may not have been correct in his reference. Certainly the election expenses commission need only convince a justice of the peace that charges are appropriate and they will be laid.

I think the Premier has shown quite clearly in his actions over these rather uncomfortable months in this connection that he is prepared to take very, very strong action indeed, not only to find those who are guilty if there is anything that has been associated with wrongdoing, but that they do not continue in senior responsibility.

Mr Runciman: I think something quite to the contrary has occurred in respect to a whole range of matters, some related to Mrs Starr and others. We can look at the York region investigation stopped by Gordon Ashworth, we can look at the Houlden inquiry, the Supreme Court decision and the government's decision not to restructure an inquiry, and we can look at what has been happening over the past month in respect to the standing committee on general government's attempt by this party and the other opposition party to have the York region inquiry matter reviewed to determine why indeed it was stopped at the Premier's office. That investigation was not carried out. We have been thwarted at every turn by the Liberal members of that committee. They did it again today.

1430

So for the Treasurer to stand up here in this House and indicate that the Premier wants to have a full public airing of these matters is ludicrous. It just is not backed up by the facts. If the Deputy Premier wants to make an indication to this House today, will he indicate that he will direct the Liberal members of the general government committee to proceed immediately with the request from this party to investigate the York region matter?

Hon R. F. Nixon: I will not. These honourable members have been assigned responsibilities to those committees, and that one in particular, and they make judgements that I think are appropriate.

CHILDREN'S MENTAL HEALTH SERVICES

Mr Jackson: My question is to the Minister of Education. Could the minister please advise the House just how many consultations were undertaken between his ministry and Colin Maloney?

Hon Mr Conway: I must say to my honourable friend that I am not aware of any particular consultations, though in a department of hundreds of individuals it may very well have been the case that the person to whom the honourable member makes reference was dealt with by the department. I would be more than willing to take the question in that respect as notice and to supply him with an answer at a very early time.

Mr Jackson: In light of the fact that there have been, for the last four months in this House, a series of questions about children's mental health services, the crisis and the impact on

Ontario schools, given that the minister himself has made light of the very nature of the size and magnitude of this crisis, I am concerned that he cannot even share with this House how many meetings would have occurred between his ministry and Colin Maloney, if any meetings have occurred at all.

If I can share this with the House, the minister should be aware of the case of an eight-year-old boy who is attending an elementary school in Peel; the child has a learning disorder which makes him alternatively frustrated, overly sensitive, angry and aggressive. This child needs support and psychiatric help and needs a residential care setting. In frustration, the mother has given up her child to the children's aid in order to enhance the child's access to residential care for a learning disorder.

My question to the minister is simply this: Would he please advise this House of at least one thing he is doing positively in this province through his ministry to help the thousands of children on waiting lists for mental health support services who are trying to survive in Ontario schools today?

Hon Mr Conway: The honourable member is really quite a special case. I shall say to him that the ministry—pardon me?

Mr Reville: It's not that unusual.

Hon Mr Conway: I simply like to think that members of the Legislature who have some experience in these matters would be perhaps a little more forthcoming with facts as they know them in questions, notwithstanding that this is a very political place. But, as I say, the member for Burlington South is at best an acquired taste.

My officials have been working very closely with others in the government of Ontario to improve the range of services to young people, both in and around their schooling. Together with my colleague the Minister of Community and Social Services, we have been reviewing quite a number of policy options and an interministerial committee has been at work. That committee and senior members of my department have been meeting with people both inside the government and with scores of individuals outside the government, all of whom are committed to providing the best possible response and service to this group of individuals.

Mr Jackson: I suppose I am being invited to apologize to the minister for not advising him in advance just who Colin Maloney is, but I suspect he has now been briefed, during the process of this question, and he can perhaps investigate this matter in the detail it deserves.

The fact is that we have laws in this province governing a child's attendance in school. We have laws that even go further, that say that during a strike action we can move in when a child's year is in jeopardy. The cruel truth in this province is that we have no laws to protect a child in the loss of his or her school life because of access to mental health support services in this province, so there clearly is a role for the Minister of Education in this crisis in this province.

The minister can attack me if he wishes or he can try to avoid the issue, but I would like him to specifically advise this House what he and his ministry are doing. We are seeing no involvement and no support from his ministry on the crisis facing children requiring mental health support services in Ontario.

Hon Mr Conway: I can assure my honourable friend I do not intend to waste much of my time or energy attacking him. I am much more interested in attacking the problem that all responsible and honourable individuals, I think, would recog-

nize as a social problem that does merit attention and response. Certainly, the government of Ontario, the Ministry of Education, takes very seriously its responsibility. One of the areas where I think education can and has played—

Mr Jackson: It's a learning disability. You don't even understand a learning disability, do you? You didn't hear it; it was a learning disability.

Hon Mr Conway: Mr Speaker, would you please encourage my barracking friend to just await the answer that he wanted so very much?

I can tell you, Mr Speaker, that the Ministry of Education sees its role in prevention as one of its most important responsibilities. One of the very important aspects of our mandate in special education is the early identification of children at risk and to put in place the kind of programs and strategies in support of those young people and their teachers so that the kind of curative measures that might be required at a later date will not be necessary. Those areas of special education have, I think, taken root in most, if not all, school boards across the province. I would be very willing to share with the House a number of those and other related strategies that we in education have developed to address this concern.

Mr Allen: On the same issue, but to another minister, this day cannot pass without the Minister of Community and Social Services responding to this quite incredible story in the Toronto Star this morning of the Mississauga woman whose severely emotionally disturbed child could not get service either in mental health clinics or in 57 hospitals that were canvassed, but yet had to resort to giving up her child to an agency to get some kind of preferential treatment which she as a natural mother in a natural family situation could not get on her own for that child. The issues are clear and recognizable. What does the minister say about them?

Hon Mr Beer: I would say very clearly to my honourable friend that when I saw this story I too was most upset to read about what appeared to have happened and directed that information be obtained in terms of the specifics of the matter. I think we have in the various communities within the province means that should have worked to ensure that this particular individual was helped. I want to know why that system, in this case, broke down and what it is that we have to do to ensure that this does not happen. As the honourable member will know, sometimes the stories that appear provide us with some of the information, not necessarily with all, and so we are looking into this matter. Clearly, this is not the kind of thing that we want to see happening within our system to assist children.

Mr Allen: What really disturbs me about the minister's answer is that he is responding to it as an individual case; that it can be solved as an individual case problem. Surely it is not. We have been told by representatives of the children's mental health associations of this province time and again that there is such a waiting list and if the minister has seen the waiting list, as I have, with descriptions of the profiles of the children who are on it, he will realize there are families and children all across this province going through hell who cannot get their kids into service and, obviously, they should not be where this boy ended up overnight, in an adult psychiatric institution.

The problem is systemic. We are also told by the same people in the children's mental health associations that there is a back-door route, that you can through a children's aid society and get a sort of preferential treatment by virtue of the nature of the status of the society and so on.

I ask the minister not just what the response to the individual case is, but what he is going to do about the systemic problem that is out there facing children who are severely emotionally disturbed and their families.

1440

Hon Mr Beer: I am delighted with the question from the honourable member because in fact we are addressing precisely the systemic problem. One of the things I have been saying throughout this debate is that we will not solve it solely by looking at the children's mental health sector. This is the reason why Colin Maloney was appointed to the position and why the committee is looking at the area of children's services. It is children's aids, it is the children's mental health sector, it is the young offenders; we have got to look at that whole area as providing services to children. We cannot look at them or continue to have them work as separate focuses. There are changes that we are working on directly with those individuals in all of those sectors, precisely to bring it together.

In relation to the earlier question, we are working very closely with the education sector, with school boards and with all of those groups and individuals that are working with children under the new thrust that we will be taking and I think members will see it when Mr Maloney's report is available at the end of this month. When that comes forward, we will be able in fact to attack the systemic part of this problem so that the issue that came up—

The Speaker: Order.

FARM TAX REBATE

Mr Villeneuve: The Minister of Agriculture and Food has told us on several occasions now that his interest rate relief program would not have money in the hands of farmers until late summer or early fall. He has got a commitment from the Treasurer. He has got a commitment of more than \$35 million from the federal government. Why is it going to take so long? Interest rates are high. Farmers need the money now.

Hon Mr Ramsay: On the contrary, it is not going to take so long. I expect to get an application form out in the mail within the next few weeks. As I said to the member and many of my farm clients in the province, we will have a very simplified form that is going to be very quick to fill out. You will not, unlike other forms, have to get expertise to fill this out. You can mail it back in fast. I would hope that most of the cheques would be gone out there by August. In talking to farmers in the last few weeks out in the countryside, they seem quite satisfied with that.

Mr Villeneuve: In the minister's press release 10 days ago, he said September, October possibly. It will be based on last year's income. Farmers have all of that information on hand now. The money is in his hands, committed by both the Treasurer and the federal government. Can he not within 30 days tell our farmers, "You will have your interest rate relief in your hand instead of paying 2% a month"?

Hon Mr Ramsay: I certainly cannot tell the farmers of Ontario that within 30 days I can have money into their hands. I would hope the member would appreciate and I hope would desire that we administer in the proper fashion a program that is responsible and fiscally responsibly, as I know his party has always lectured us on. We believe in that and it will be a fiscally responsible administered program. That is what we are doing. The criteria, as you say, are right. That is why I made it retroac-

tive to last year's financial information from the farmers. They will be able to fill that out, get it into us quickly and we will be able to get cheques out to them and be assured that the proper people, the farmers of Ontario, will be getting this money that the Treasurer gave the Ministry of Agriculture and Food.

AFFORDABLE HOUSING

Ms Oddie Munro: My question is to the Minister of Municipal Affairs and Minister of Housing. It is well over one year since the release of the provincial land use planning document, a document which called for 25% of new housing to be affordable, a document which stressed partnership choices and involvement of community for ways in which municipalities can respond to intensification, conversion, in-fill housing and new development on new lands.

Hamilton and Hamilton-Wentworth have been investigating ways and means by which they can be the initiator of long-range plans. We have a housing task force and the city, region, developers and community are involving themselves in the planning process.

Affordable housing is important. Other issues important to citizens are the challenges in already developed neighbourhoods of housing intensification. Various Hamilton wards have formed groups called Citizens for Citizens to express concerns to a March 1990 position paper released by the region on housing intensification. Citizen concerns relate to uncontrolled conversions of duplexes and triplexes, pressure on existing services—

The Speaker: Question?

Ms Oddie Munro: My question relating to intensification as one of the factors in affordable housing is: How does the provincial planning statement deal with the question of intensification so that it can be viewed as only one of the options for releasing new affordable units?

Hon Mr Sweeney: I would want to emphasize, as I think the question indicated, that intensification is one of several different elements in the housing policy statement. We also speak in the statement of 25 per cent of new development. We talk of streamlining the process itself. We talk about a range of housing options so that the range of the population that has different needs would be able to find something to meet its needs.

Clearly, one of the points that we make in the statement is that intensification is something that our larger urban areas ought to take a look at because in many cases they just do not have a lot of new land available within their urban boundaries to build new stock.

The other reason we suggest that is that in a number of our larger urban areas, like in parts of Hamilton, there are certain parts of the city where the current housing stock is significantly underused; we have very large homes being inhabited by a very small number of people.

The third thing we point out is that intensification will often produce housing stock that meets the needs of certain kinds of people. Our elderly, for example, often do not need a big house; our students; our single people; so it is very much part of the statement.

Ms Oddie Munro: My problem, since many of these wards front on my riding, is that many of the concerns of citizens dealing with intensification relate to municipal responsibilities and the Planning Act and zoning, yet the provincial land document is a partnership document. I wonder where the checks and balances are so that the minister could advise the

kind of areas of Hamilton that he has already alluded to—the downtown core, the older and more established neighbourhood and communities which border around commercial-industrial sectors—how can we get the kind of dialogue going which ensures that municipalities know where the minister is coming from so that he is just not simply at the end of the road, which I understand is within a year, saying to them, yes or no, that is acceptable. What can we do now to dialogue with them?

Hon Mr Sweeney: We have a housing advocacy task force within our ministry that is prepared to meet with community groups and with municipal people to assist them in doing the kinds of planning that the member is talking about. I would also point out to the member, however, that our larger, faster-growing areas like Hamilton are required to compile a very detailed housing planning statement—in other words, tell us exactly how they are going to implement the provincial housing policy—and obviously that would have to indicate how they are going to achieve the number of lots, how they are going to achieve the identified residential areas and how they are going to achieve their intensification program.

That plan must be approved by the ministry. We have staff available working with communities like this, and I would want to emphasize that, while this is very much a partnership between the municipality and the province, the final responsibility does rest with the municipality. We will work very clearly with them, but the final responsibility rests with them, and we will do what we can do to assist them to come up with the best possible plan.

EMPLOYMENT STANDARDS

Mr Mackenzie: I have a question for the Minister of Labour, although I had seriously thought of going to the Minister of Citizenship. One year ago, Canadians and citizens around the world were gripped by the events unfolding in Tiananmen Square in Beijing, China. Young students took the lead in a drive for democracy, which we in this country take for granted.

One of those students was Che Zong, now 26 years of age, who subsequently got out of the country along with fellow protesters who were lucky enough to escape. Che vowed that they would gather together on the anniversary date of the horror of Tiananmen Square to honour their friends who were the victims of the brutal repression. Che Zong is now, or at least she was, a chambermaid working at the Kingston, Ontario, Holiday Inn. She asked for last Sunday off work to attend the demonstration that was held in Toronto in remembrance of Tiananmen Square. She was denied this time off. In any event, Che took the time off work and came to Toronto, and on her return to her job she was fired by her employer. Does the minister not find this drastic action rather harsh and unacceptable?

1450

Hon Mr Phillips: I read the account and I gather that the individual is a summer student who had been employed for approximately a month. Having said that, I personally would hope that perhaps employers might take into account special circumstances. I can appreciate that they clearly are within their legal right to do what they did, but my suspicion is that they may not have fully appreciated the total background of the circumstances.

As I say, I think sometimes we must understand that legally they certainly did what they were entitled to do, and if the story is correct, it is a summer student. But I would hope that

employers in the province might get in behind a situation like this and recognize that this individual is operating under a very special circumstance. The organization might, on reflection, consider the uniqueness of the circumstance.

Mr Mackenzie: When Che asked for the day off work, she was told that they had heard these kinds of stories and requests before. Surely good corporate citizens would be more understanding in a case such as this, and surely the Holiday Inn can do without the services of a chambermaid for one day, given the traumatic experience of this young woman.

Will the minister use his office to try to correct what appears to me to be an injustice? I am sure that the Holiday Inn would recognize the value of a little more sensitivity in a case such as this.

Hon Mr Phillips: As I said, I suspect—I have not talked with the organization—that they were perhaps not aware of the full circumstances. I think when employers are dealing perhaps with the number of employees they have, they may not have the chance to fully discuss it.

I would hope, as I said in my earlier response, that the organization might reflect again on the unique situation and recognize that this individual was dealing with a very important aspect of her life and one which put her in a very difficult circumstance relative to the job. They might reconsider it.

I think I will find some way that we can discuss this with the organization. While I cannot obviously direct the employers to do it, I think that they may, when they reflect on it, recognize the unique circumstances.

EDUCATION FUNDING

Mr Cousens: I have a question for the Minister of Education. It has to do with the Roman Catholic separate school system in York region and the deficit that it is increasingly having to live with. They had a deficit last year and they have a deficit this year. I understand some 24 separate school boards are having deficits. I do not know how many public boards have deficits, and I have an Orders and Notices question to ask the minister that.

I am getting letters now from my constituents who are raising this. I have one from a resident of Thornhill who says, "It is not an equitable situation when one system has been given the funds to maintain programs when the other system must cut them." Now we are faced with the separate school board cutting programs and being faced with increasing deficits.

What help is the minister going to give the school boards that have these deficits to face up to them and to live within their means?

Hon Mr Conway: I thank my friend the member for Markham for his question. It is correct that on the basis of submissions that have arrived in the regional offices of the Ministry of Education, a number of school boards—if my memory serves me, I think almost all of them from the separate school jurisdiction—have indicated that they will be in a deficit situation.

I would say to my honourable friend, who is very familiar with school board organization and financing, that it is the requirement of the Education Act that no school board can plan for a deficit. I can tell him that we expect that that provision of the Education Act will be honoured by all school boards.

To assist, I have asked my officials at the regional level to meet with any school board that appears to be having a difficulty in this respect, to provide any and all assistance that we might to ensure that the Education Act is complied with.

Mr Cousens: It is going to be quite a compliance project for the ministry, because the accumulated deficit for the Roman Catholic board in York region is going to be over \$18 million by the end of this fiscal year.

It is just making a farce out of the promise of equal funding for both systems of education, public and separate, when in fact one program is having to cut back—the separate system is cutting back on programs and having a deficit—when the other system beside it and within the same community is able to maintain those programs.

I really am interested in the action that the minister is going to take. Is he going to take legal action against the boards with deficits? Is he going to give money to pay off the deficit or is he going to overlook it?

Hon Mr Conway: Again, I have a great deal of regard for my honourable friend. Particularly in matters of school board organization and finance the honourable member for Markham knows perhaps better than most just exactly how this system works.

I repeat that the Education Act requires, and all school boards know this, that no board can plan for a deficit. If, for whatever reason, a deficit occurs, then an action plan is required to retire that deficit. At the ministry we are going to be looking, through our regional offices, at these school jurisdictions that appear to be having deficit difficulties. We are going to be looking very carefully at their budgetary plans, at their expenditure forecasts and at their revenue forecasts.

My friend the member for Markham, I hear, is a very good and able manager. He will know that it is not always easy to manage all of the pressures, whether it be in a government ministry or in a local school board. But I expect that school boards, locally elected, are going to be able to meet local needs with local resources and a very significant amount of provincial grant in most cases, and they are going to manage effectively within the requirements of the Education Act.

I repeat that officials from the regional offices of the Ministry of Education will be meeting very shortly with a number of school boards which appear to be having some difficulty, to assist them in whatever difficulty they might be having.

Mr Callahan: Following up on that point that was raised by a member of the third party, I have a question for the Minister of Education. In my riding the school boards indicate that the degree of funding that the province provides for school boards is something I think in the neighbourhood of 17%. What does the minister have to say about that?

Hon Mr Conway: I appreciate the question from my honourable friend the member for Brampton who also has a very keen appreciation of these matters, serving as he did on local government for so many years.

He would want me to say that this year the provincial Ministry of Education is providing about \$5.5 billion worth of funding in support of our elementary and secondary schools: \$4.5 billion worth of operating grant in support of elementary and secondary schools, over \$300 million in support of capital projects and \$625 million as the employer's contribution towards the teachers' pension plan. So in this year we will be providing about 56.9% of all approved operating expenditures in school board finances.

Interjections.

The Speaker: I have great difficulty in hearing the response. If you would just sort of—

Mr Callahan: It is obvious that the members of the third party are not interested in that information because they were shouting like hound dogs while the minister was giving the answer.

Mr Jackson: We have raised that question twice and you know it. It has already been raised.

Mr Villeneuve: Where have you been, Bob?

Mr Jackson: Where were you? You weren't even in the House.

The Speaker: Order. Is the member for Burlington South okay? You do not have a problem? No?

Mr Jackson: No, I did have a problem. He said we were not interested.

The Speaker: Order.

Mr Jackson: I raised it last week. I named your board. Sorry, Mr Speaker, I apologize.

Interjections.

The Speaker: Order. We will just wait if you like, wasting the time.

Mr Callahan: It has been indicated as well that the reduction in funding over the years has occurred just in the last couple of years. Can the minister perhaps indicate to us just how long ago there was a reduction in the percentages that were paid by the provincial government? Perhaps he might also repeat the figures for my colleagues in the back who could not hear them while the noise was going on over there by the carpentering third party, which is just itching to be reduced to even less than what it is now.

1500

Hon Mr Conway: I must apologize for not speaking to the Chair, because that is quite out of order.

Just in summary, this year the Ministry of Education will be paying about 56.9% of the recognized cost of elementary and secondary education in the province of Ontario. Furthermore, this year, at \$4.5 billion worth of operating grant, the provincial grant will be about \$1.5 billion more than when we took office five years ago, or 50% more than was the case five years ago.

On the capital side, our honourable friends in the House know that the rate of increase is like 360% above where it was when we took office, and I repeat that in the current year we will be adding some \$363 million more on operating, or 8.7% more on the operating account for elementary and secondary education.

I should say in conclusion that we do allow school boards to spend above the approved expenditure ceilings, if they choose to do so. That is a local decision that will have to take account of the local ability to pay above and beyond the approved expenditure ceilings.

NORTHERN HEALTH SERVICES

Mr Hampton: My question is for the Minister of Health. When the Minister of Health first became minister three years ago, an average of about 30 communities in northern Ontario were on the underserved area list, that is, they were looking for family physicians and could not find them. Now, in April and May 1990, an average of 42 communities are on the list.

I want to ask the minister how it is that in her three years as Minister of Health there are more communities than ever before

that are now on the list as needing physicians in northern Ontario.

Hon Mrs Caplan: I would say to the member opposite, as I have on a number of occasions, that in fact provision of services in northern Ontario, where there are a number of small communities in a vast and sparsely populated, large geographic area, offers special challenges. I am very aware of that, and we have taken a number of initiatives.

In fact, just last week I met with the Northern Health Human Resources Committee which has been established, and I am optimistic that we have brought together a group of people who will address themselves to providing advice on how we can look at the issues of attraction, both recruitment and retention, in northern Ontario to meet those special challenges.

Mr Hampton: This is really quite incredible. What does the minister say, for example, to communities like Armstrong that have been on the list almost every month for the last three and a half years, or Atikokan, Chapleau, Cochrane, Dubreuilville, Elliot Lake, Ear Falls, Geraldton, Hearst, Hornepayne, Englehart, Garson, Fort Frances, Manitoulin Island, Manitouwadge, Marathon? How can she continue to say to these communities that something is being done when it is quite clear nothing is being done and the situation is getting worse?

Even the Premier's announcement in Thunder Bay that there were going to be more residency programs will not do anything about it until 1994 at the earliest. That is when those residents will be available. What are those communities supposed to do until then? Wish upon a star or something?

Hon Mrs Caplan: The member opposite anticipated my response to his supplementary. The list of initiatives that we have undertaken in northern Ontario is important and significant. The underserved area program has been very successful in placing physicians and others in northern Ontario. There are numerous bursaries and opportunities available.

But probably the most significant initiative that has been undertaken by this government, other than the establishment of the Northern Health Human Resources Committee, has been the development of a residency program to ensure that young people who want to become family physicians have the opportunity to practise and train in northern Ontario. The centres of Thunder Bay and Sudbury will be accommodating that new program, and I am very proud of it.

I would say to the member that there is much to do. We have not solved the issues, but we are actively working on them. I am pleased that he has given me an opportunity to tell the House about the important and significant things we are doing to meet the needs of northerners.

Mr Pollock: I have a question for the Minister of Transportation. Is he coming back into the House or not?

Interjections.

SECONDARY SCHOOL CURRICULUM

Mr Sterling: I have a question for the Minister of Education. As he knows, I have some slight interest in the engineering profession and in scientific professions and was glad to hear the Premier try to urge secondary school teachers, high school teachers, to encourage students to study in the maths and sciences, as there is now a worldwide shortage of engineers. We are particularly concerned about

keeping our engineers here in Ontario. Why is it not mandatory that high school students take science or math courses after grade 10?

Hon Mr Conway: When the previous government reorganized the secondary school curriculum, Dr Stephenson gave, I think, quite an eloquent articulation as to the nature of that OSIS reform. A number of changes were brought about. The reform required an increase in the number of mandatory subjects and the ministry has over the last few years been implementing OSIS.

But I will tell my honourable friend he is right when he says that the evidence of the future suggests that we are going to have to revisit the whole question of science and technology. We are in the process of doing that. I would say to my friend the member for Carleton, who unlike me wears the iron ring, that there is a lot of evidence to suggest that we are going to have to consider some very new strategies to increase the participation on the technology side, particularly for young women. As recently as last week, we have been looking at a variety of counselling strategies that will hopefully do that.

CHARITABLE GAMING

Mr Mahoney: My question is to the Minister of Consumer and Commercial Relations. I have been contacted by several organizations in Mississauga which have expressed a very grave concern regarding the consultation paper on charitable gaming and the subsequent review of written submissions pertaining to this document. Their prime concern centres around the perceived pressure to freeze minor sports groups out of bingo by redefining charity to exclude minor sports groups.

I am sure the minister is aware that these groups face many financial pressures and it is often only through the ability to raise funds through such activities as bingo that some of these minor sports groups are able to continue functioning. Can the minister inform the House on the status of the review and when we can hope to see this bill brought forward?

Hon Mr Sorbara: I am delighted to have that question from my friend the member for Mississauga West, because it is not only in his community but really right around the province that organizations, including minor sports organizations, rely on the provisions that govern charitable gaming in order to raise revenues to keep their organizations going.

In fact, after the consultation paper went out, I had an opportunity to visit some seven communities and talk to about 70 or 80 organizations. It was clear from that consultation that one of the central issues of this whole business of charitable gaming is who should and who should not qualify. The proposal that we provided for in that consultation document referred to organizations which are undertaking things for community organizations in need.

Now, it is clear that many minor sports organizations are in need of resources and one of the ways they can raise those resources is through the provisions governing charitable gaming. I do not anticipate a major change, but we are waiting for a piece of work the Ontario Law Reform Commission is doing on charitable gaming and charities generally before we cast our definition in stone.

1510

Mr Mahoney: I certainly understand and appreciate the desire on the part of the minister to stabilize the gaming market and ensure that charitable and religious organizations are indeed the primary beneficiaries of the proceeds. But can the minister assure me and this Legislature that the current review being undertaken will not discriminate against minor sports groups?

Hon Mr Sorbara: I do not have any hesitation in giving that assurance. One of the issues that has arisen when it comes to sports organizations is whether individual teams should be allowed to raise money and deal with the financing of their operations through the use of charitable gaming, and in particular bingo. That is often a question that will be determined, and will continue to be determined, at the municipal level.

Our preference, I should say, is for sports organizations like the bantam hockey league of Mississauga, should there be such an organization, to be the sponsoring organizations because then the proceeds from that sort of activity, whether it is one night of bingo or a Monte Carlo night or a series of bingos or what have you, can be distributed equitably among all the teams that might participate in such an organization. But there is absolutely no intention to discriminate against sports organizations. They are the lifeblood of our community. I talked to a number of sports organizations in the consultation that I took part in, and I think they can feel comfortable with the way in which we are proceeding.

SOCIAL ASSISTANCE

Mr Allen: I have a question to the Minister of Community and Social Services. The minister will recall that the central principle of the Social Assistance Review Committee's report was that there should no longer be considered to be deserving and undeserving poor in Ontario. Yet anyone who looks at the implementation of that report to date would have to say that the government has divided the poor into two basic groups, deserving and undeserving.

If you had children involved in a family in support, if you were in a family situation, single-parent or couple, then you got major, important responses from the SARC reforms. If you were single you did not. You got a modest adjustment in the shelter increase because of the adjustment to 100% of ceiling. But otherwise you got no real dollar increase.

I wonder when the minister is going to remedy that division. When are the singles in the social assistance system going to become deserving and not the undeserving poor under the old-fashioned scheme?

Hon Mr Beer: I would hope very much, as we look at the problems facing the poor, those on social assistance, that in fact we are trying to help all of them and I would share with the honourable member that the concept of deserving or undeserving is not deserving of being perpetuated.

I think it is true to say that in the first round of reforms we did put particular stress on families and particularly single parents in families, but at the same time, if for example you look at a single individual on general welfare assistance, on a year-over-year basis that individual also saw an approximate 15.5% increase in benefits. So I think everybody received a benefit.

We recognize that there are particular categories where we would like to do more, and indeed will be doing more, but I think always within the context that we want to move

everyone forward. In that initial go-through, we wanted to focus particularly on children, and that is why a great deal of the first phase was done in that regard.

MOTIONS

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Ward moved that the standing committee on public accounts be authorized to adjourn to St John's, Newfoundland, to attend the 12th annual Canadian Council of Public Accounts Committees from 8 July to 11 July 1990.

Motion agreed to.

PUBLICATION REQUIREMENT

Mr Ward moved that at the request of the applicant and on the recommendation of the standing committee on the Legislative Assembly, standing order 78(e), concerning publication of notice of an application for a private bill, be waived with respect to Bill Pr88, An Act respecting the Town of Niagara-on-the-Lake.

Motion agreed to.

SELECT COMMITTEE ON EDUCATION

Mr Ward moved that the select committee on education be continued to consider and report to the House on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario;

That the committee conduct its inquiry in two phases as follows:

In the first phase the committee shall consider the role the school system plays in a multicultural and multiracial society in the choices and objectives of students in transition to adulthood, including how the elementary and secondary school system can assist students in shaping and fulfilling career and work objectives, factors in an information society which influence the young adults' choices of educational and training options and society's perception of those choices, and the role of parents or guardians in the school system and the transition of young students from secondary schools to the world of work or higher education; and

In the second phase the committee shall consider the orientation of the school system to other educational and training opportunities both in the public and the private sectors and any other issues the committee may wish to consider;

That the committee have authority to release its reports during any adjournment or recess between sessions by depositing a copy of the report with the Clerk of the Assembly, and upon the resumption of the meetings of the House, the Chair of the committee shall bring such reports before the House in accordance with the standing orders;

That the committee have authority to meet during any adjournment or recess of the House, subject to the agreement of the House leader and the chief whip of each recognized party; and

That the committee be composed of the following members: Mr Campbell, Chair; Mr D. S. Cooke, Mr Furlong, Mr Jackson, Mr R. F. Johnston, Mr Keyes, Mr Mahoney, Mrs Marland, Mr Michlash, Mrs O'Neill, Ms Poole.

Motion agreed to.

PETITIONS

RECYCLING

Mr Faubert: I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario. It reads, in brief:

"We, the undersigned students and staff of Henry Hudson Senior Public School and Heather Heights Junior Public School in Scarborough, beg to petition the Parliament of Ontario as follows:

"Whereas the government of Ontario has initiated and promoted a successful blue box recycling program;

"Whereas households across the province have been able to reduce their waste output by following the provincial recycling guidelines; and

"Whereas apartment buildings, fast food restaurants and public places such as parks also produce waste which can be recycled;

"Therefore we, the undersigned, hereby petition the government of the province of Ontario to continue to expand its recycling program to include those institutions, industries, public places and apartment buildings which are not currently involved in recycling activities."

This petition is signed by some 73 citizens. As required by the standing orders, I have also signed same and put this forward for appropriate action by the government.

LANDLORDS' RESTRICTIONS ON PETS

Ms Bryden: I have a petition which is not strictly addressed to the Legislative Assembly of Ontario but petitions the government of Ontario. I think its intent is within the new rules for petitions.

It states that tenants in over 100 buildings in Ontario are now threatened with eviction simply for having a pet in contravention to their tenancy agreement. Tenants are then forced to choose between giving up their pets or possibly losing their homes. Hundreds of animals are being abandoned or euthanized because of no-pet clauses.

The standard no-pet clause in leases discriminates against responsible pet owners who rent. They petition the government of Ontario to create a standard form lease for residential tenancies to outlaw no-pet clauses in leases and to amend the Landlord and Tenant Act to prohibit evictions based on breach of a clause in the tenancy agreement.

There are 71 persons, mainly in my own riding and other parts of Toronto, who have signed this petition. I am signing it myself, and I would like it to be submitted to the Legislative Assembly of Ontario.

The Speaker: I might just draw the member's attention to standing order 35(c), which says, "Every petition shall (i) be addressed to the Parliament, Legislature or Legislative Assembly of Ontario." I am certain you will be able to advise your constituents of that in the future.

1520

DIABETES TREATMENT IN NORTHERN ONTARIO

Mr Kozyra: I have a petition here signed by more than 4,200 members and residents of Thunder Bay which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas there are approximately 13,000 diabetics in northwestern Ontario and that there is a higher incidence of diabetes in some northern communities in northwestern Ontario as compared to the national average, which is 6% of the population; and

"Whereas diabetics in northwestern Ontario have a particular problem regarding access to specialized health care and because recent findings show that appropriate treatment can delay and prevent the disease's long-term complications,

"We, the undersigned, petition the Parliament of Ontario as follows:

"We urge the Ministry of Health to establish a regional diabetes resource centre in northwestern Ontario. Thunder Bay is the appropriate location for a centre which will promote health and prevent long-term problems rather than treating sickness once it has occurred."

I have read the petition and must say I fully support its intent. I have affixed my signature to it in keeping with section 35(e) of the standing orders.

SENIOR CITIZENS' DENTAL HEALTH

Ms Poole: I have a petition addressed to the Legislature of Ontario that the Association of Jewish Seniors has asked me to present on its behalf. Mr Speaker, I am aware that you have asked us not to read out lengthy petitions, so I have taken the liberty of précising this and making a brief summary.

The petition concerns the dental health of senior citizens in the province and asks the Legislature to consider recommendations regarding seniors' dental care made by the Advisory Committee on Dental Care for Seniors in Need, to consider the need for preventive dental and denture care for seniors, to implement oral hygiene standards and regular examinations in institutions for seniors, to provide seniors access to transportation for dental appointments and to provide support for graduate training specializing in geriatric dentistry.

INTRODUCTION OF BILL

TOWN OF NIAGARA-ON-THE-LAKE ACT, 1990

Mr Dietsch moved first reading of Bill Pr88, An Act respecting the Town of Niagara-on-the-Lake.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon Mr Ward: Prior to calling the orders, pursuant to standing order 53, I would like to indicate the business for the upcoming week.

On Monday 11 June we will have committee of the whole on Bill 208.

On Tuesday 12 June we will have committee of the whole on Bill 108 and Bill 106. At the conclusion of committee of the whole we will proceed to second reading of Bill 175.

Wednesday is an opposition day on a motion in the name of the member for Riverdale.

On Thursday in the morning sitting, we have private member's ballot item 55 in the name of the member for York South and ballot item 56 in the name of the member for Brampton South. The afternoon sitting will be resumption of the committee of the whole on Bill 208.

ORDERS OF THE DAY

House in committee of the whole.

OCCUPATIONAL HEALTH AND SAFETY
STATUTE LAW AMENDMENT ACT, 1990

Consideration of Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act.

Hon Mr Ward: By agreement of the House leaders, I would seek unanimous consent that any votes relative to Bill 208 be stacked until the conclusion of consideration of the bill in committee of the whole.

The Chair: Is there unanimous consent?

Mr Charlton: Mr Chairman, on that point, just for clarification before we proceed: When you say that the votes be stacked, are you saying that the votes will not be called on each amendment? There will be no divisions now?

The Chair: You have to divide; you have to stand to require to stack at the end. Correct?

Mr Charlton: Which is it?

Hon Mr Ward: There will be divisions, but they will be stacked until the end of the bill.

Mr Charlton: There will be divisions on each vote now?

Hon Mr Ward: Yes, the divisions will be indicated, and they will be stacked to the end.

Agreed to.

Hon Mr Phillips: I wonder if I might have permission to have staff join me and the parliamentary assistant to move to the front.

The Chair: Go ahead.

Those who have already submitted the proposed amendments have supplied copies to all concerned, Hansard, interpreters and the table here? Does Hansard have all the government and opposition amendments? Interpreters?

There are 40 sections in the bill. Does the third party have amendments to be brought forward? Let us look first of all at the proposed government amendments. At the beginning of the material I have received, it says the minister has an amendment to subsection 1(3). Is that correct?

Hon Mr Phillips: Yes.

The Chair: Thank you. So you have amendments to sections 1, 4, 12, 13, 24, 25, 28—different subsections, of course—29, 30, 31, 32, 33, 37 and 38. Did I miss any?

Hon Mr Phillips: I do not believe so.

The Chair: Thank you. We shall look now at the NDP proposed amendments; they are to sections 1, 3, 4, 6, 20, 24, 25, 33, 34 and 37. Correct?

Is the third party ready to give me a list of the proposed amendments it may have?

Mrs Marland: I am just confirming. I do not think we have any but I am just confirming that.

The Chair: Fair enough. In other words, you may have some later on; is that what you are implying?

Mrs Marland: I will confirm for you within about 20 minutes.

The Chair: Thank you.

Hon Mr Phillips: Mr Chairman, just to make certain that I do not miss sort of the terminology, you said we were amending section 13. I think we actually are adding a section in 13, as

long as that is the understanding. Similarly, I guess we are adding section 31a as opposed to amending section 31.

The Chair: So the section 13a that you want to add would come after 13, I presume, as usual. Right? Fair enough.

1530

Hon Mr Ward: If I could raise a point of order: After further consultation, I would like to seek unanimous consent that any divisions that are requested, regardless of whether or not there are five members standing, be stacked to the end of the consideration of the bill.

The Chair: Agreed?

Agreed to.

The Chair: I have a bit of a problem. The member for Mississauga South, if in 20 minutes you come up with a list of amendments, and suppose we are then at section 4 or 5 and you bring something to section 3, I would like to make it clear now that we might have to go back to open a section that may have been carried. Do you understand?

Mrs Marland: I thought we just agreed to stack the votes.

The Chair: Yes, but 20 minutes from now, at which section will we be? Once we have finished discussing these, we carry them as we go along. If there is no requirement for division, then they are carried.

Mrs Marland: Oh, I see what you are saying. I understand.

The Chair: I have a bit of a dilemma here unless members are agreeable to reopening discussion on a section that may have been carried if the third party brings consideration for changes to a section that has already been carried.

Has the member for Hamilton East understood what I have just mentioned? If, in 20 or 25 minutes from now, for example, we are up on section 10 or 13, and the third party brings a list of proposed amendments to sections that may have already been carried, would you be agreeable that we reopen the dossier and look at them, if they were already carried? These are very unusual circumstances, but I want to be sure we have a level playing field here before we start.

Mr Mackenzie: Yes, I am agreeable.

The Chair: You are agreeable. Okay, fair enough. I just did not want a surprise once we started.

We shall consider the sections to be added. We shall consider the sections to be amended. Once we cover the sections to be amended, then we will cover the sections to be added after a particular number. Is that correct with that procedure? Okay, fair enough. I am so glad that everybody understands and follows very well. I can tell by the look on your faces.

Section 1:

The Chair: If I go in numbers, I have a government amendment to subsection 1(3).

Mr Phillips moves that subsection 1(3) of the bill be struck out.

Hon Mr Phillips: This and two or three other sections are designed to assist in handling a situation in the logging industry where, on the one hand, we want to ensure that the timber licence holder is accountable for health and safety in the area where he holds the licence. But at the same time, in the original bill, we defined him as the "employer." That presents a problem

because in many respects, legally, for some of the people who are working within the licence area, he is not the employer.

We are trying to balance, first, the health and safety needs of people who work in the area with the recognition that in the original act we called the licence holder the employer. So we are proposing a series of amendments, this being one of them, that will have the effect of holding the licence holder accountable for health and safety.

The best analogy that we have been able to come up with is that this would be similar to where a constructor is held accountable for health and safety on his site. This arose after a fair bit of discussion with the industry, which felt that the original bill added the responsibility of health and safety but also would begin to call him "employer." I think we retain the health and safety aspects of this, but we also do not put the industry into a legal position that it should not or does not want to be in.

Mr Mackenzie: I am not sure that I have any serious concern with it, but one of the questions that I wanted to ask the minister was whether or not in the course of this change that he is making he was consulting with the workers in the bush industry or the wood industry itself.

Hon Mr Phillips: I am not sure whether consultations took place with the employee group. I know that the employers were the ones who wanted to ensure that we balanced these two things. I cannot confirm or deny that there were any discussions with the employee group. I do know that most of the discussion was with the employer group.

Miss Martel: Let me just explain to the minister my concern, and if it has been resolved with this particular amendment, then we will accept it. It goes back to some of the problems in compensation, and particularly with a large owner-operator like Buchanan Forest Products in northwestern Ontario. One of the problems we were seeing with workers' compensation claims was that in fact Buchanan was saying he was not the employer. The independent guy out cutting in the bush with his small operation was becoming the owner, and when he got hurt, the assessment was not applied to Buchanan, but in fact that individual person in the bush, cutting really on behalf of Buchanan, became responsible.

I want to ensure that what is happening here will not have that small guy out doing some work in, for example, Buchanan's plot, who is going to become the employer in this case. He will still, because he is the owner of the licence, be considered the employer in that sense of the word and any health and safety will be his responsibility.

Hon Mr Phillips: I will try to answer it. Later on the member will see in the amendments that as we move to define the licence holder of the timber we say that "a licensee shall ensure that (a) the measures and procedures prescribed by this act and the regulations are carried out with respect to logging in the licensed area; (b) every employer performing logging in the licensed area for the licensee complies with this act and the regulations; and (c) the health and safety of workers employed by employers referred to in clause (b) is protected."

I personally am satisfied that by changing the licence holder from an employer to a licensee we will still be able to hold that licensee accountable for the health and safety of individuals who are working in that area he has the licence for.

Mr Pouliot: With respect, what the member for Sudbury East is attempting to convey, and has done a very good job of, is this specific case, broadly summarized and simply put, where you had 40 employees that were employees of Wolverine Forest

Products, owned by Ken Buchanan. Someone got hurt and sought compensation at the Workers' Compensation Board. The documentation was obvious for everyone to relate to. There was no problem, except the person was denied because as a condition of employment, the employer requested that each of the 40 cutters sign documentation. They were like instant coffee; they were made instant vice-presidents.

Compensation was refused because they had signed that documentation. Furthermore, they were not aware that they were vice-presidents. But they had signed, so they were members of the executive. What my colleagues are seeking is certainty that this kind of scheme—that is exactly what it was—cannot and will not happen.

In this case, it took months of proceedings to achieve recourse and, happily, the situation was resolved, but the invitation to circumvent the legislation should not have been made available to Ken Buchanan or to other companies.

1540

Hon Mr Phillips: I am aware of that situation and aware that Workers' Compensation has had a fair bit, at least, of discussion with Buchanan over a long period of time, and I think it has resolved that.

My belief is that as we deal later on with the section that I just read out, that, in our judgement, will hold the licensee accountable for health and safety on the land that the licensee is responsible for.

As I said before, it is section 13a that we are proposing to add that deals with the duties of a licensee, and if you read that, I believe—and I would ask the staff to make certain that I am not misstating anything—it then is able to hold the licensee accountable for, as I say, health and safety for anybody who is working in the area that it holds the licence for. It is just a matter of defining the licensees and the responsibilities and not calling them the employer, which legally they are not.

Mr Mackenzie: I think we are satisfied with this section. I just cannot leave it without once again making the comment—because this is what dogged us all through the development of this bill and all through the hearings—that it would have been a little easier from our point of view, and I think it would have been smart on the minister's part as well, if, when he had the consultations with the employers because of their concern over this section and the definition of a "licensee," there had then been some consultation with the unions that are involved in the field as well. I think it would have been a useful exercise.

Motion agreed to.

The Chair: The second proposed change, subsection 1(3a).

Hon Mr Phillips: This is part of the same issue.

Mr Phillips moves that section 1 of the bill be amended by adding the following subsection:

"(3a) The said section 1 is further amended by adding thereto the following paragraph:

"14a. 'licensee' means a person who holds a logging licence under the Crown Timber Act."

Hon Mr Phillips: I am sorry, Mr Chairman, what I said earlier—this is part of moving from "the employer" to "licensee," and I think we will deal with this in three separate sections. This, I think, is the second section.

Mr Mackenzie: We are prepared to accept this.

Motion agreed to.

The Chair: The other amendment I have to section 1 is a New Democratic Party motion to add a section to section 1. Is that correct?

Mr Mackenzie: I do not know whether we have handled this in the proper way, but our intent is an intent that we had during the course of the hearings that the section be amended. Subsection 3(2) of the act is repealed, and that is the section that—just a moment now and I will be with you.

I know what it is all about. I am trying to find the section here now and I am having difficulty. It is the section of the act in section 1 that eliminates farm workers from coverage under the health and safety legislation in Ontario.

The Chair: Do we not have a bit of a problem because section 3 of the act is not being amended?

Mr Mackenzie: This is section 1a.

The Chair: That you want to add to the bill, but the problem is, section 3 of the act was not mentioned to be amended anywhere. That is the problem we have right now.

Usually what we have, since section 3 of the act was not proposed to be amended, you might want to make some comments and the only way we can proceed with that is if we have unanimous consent to consider that. I would have to ask for that. I hope you realize that.

Would there be unanimous consent to consider that NDP amendment to section 1a to repeal a subsection of section 3 of the act, at least to consider debate on that?

Hon Mr Phillips: Yes, although in the end we may not be in favour of it.

The Chair: That is a different story. I do not control that part of it. I just control the part where I have to ask if there is unanimous consent.

Agreed to.

Mr Mackenzie: The only point I am making, and we do not intend to belabour it—I am having trouble finding just where it is in the section—but it is an argument we have made in this House many, many times, that the farm workers are excluded from the health and safety legislation in Ontario, and where it really has had some major effect is not just in individual people operating in a farm setting but in a number of plants where you have workers who are considered exempt because of the fact that they are working in an agricultural operation.

I think the classic was the long debate we had in this House of the mushroom factory in Picton, where they had tried to certify themselves, had signed up a majority of the workers and subsequently were denied certification because they are excluded under the Labour Relations Act as well.

This act does exclude farm workers. We thought that it was essential that we bring them into coverage under the act.

The Chair: Before you proceed any further, this is going to be a new section. In theory, before you even start to consider your proposed amendment, I should ask if section 1 should carry, as amended.

Section 1, as amended, agreed to.

The Chair: Mr Mackenzie moves that the bill be amended by adding the following section:

“1a. Subsection 3(2) of the said act is repealed.”

Hon Mr Phillips: I appreciate the concerns of the member for the farm community. I would say what I think we said at the committee hearings, that this is an issue that is under study. It was not something the farm community had an opportunity to participate in, because it had not anticipated that we would be dealing with it. So I repeat what we said at the committee, and that is, we appreciate health and safety in the farm as an important issue. There is a committee that has been established in conjunction with the Ministry of Agriculture and Food that is reviewing the recommendations, the Agricultural Health and Safety Implementation Committee, and it is anticipated that it will have a report in the next two to three months that will be available for public release and discussion.

I do not mean to suggest that health and safety on the farm is not an important matter, but it is one that was not dealt with during the debate on Bill 208. It was not included in Bill 208 and I think it is best that we deal with it separately.

1550

Mr Mackenzie: The difficulty we have here, at least that I have here, is in trying to deal between the act, the bill and all of the amendments. It is not an easy proposition.

I have found the section I was looking for. I recall well the argument the minister made. It is subsection 3(2) of the health and safety legislation wherein it says farming operations, “Except as shall be prescribed and subject to the conditions and limitations prescribed, this act or a part thereof does not apply to farming operations.”

It is obvious that there is a disagreement between our party and the government on this issue, but we moved it on purpose because it is not an issue that is new. There may very well be a committee looking at it, but it is not an issue that is new. It is an issue that has been raised in this House for a long, long time and it is an issue that I myself have raised in this House, I believe the first time in 1976.

It seems to take an awful long time to move in terms of providing coverage that I think is legitimate coverage for farm workers. That is why we have the amendment before us in this legislation, as we did while we were dealing with it in committee. We will be asking for a division on this section.

The Chair: Fair enough. I hope you realize that to require a division you need five members.

Interjection.

The Chair: If I understand well, you want to be able to ask for a division, whether you have the five members or not. Fair enough. I am sorry. Any other comments on this?

Mr Mackenzie: I presume you will call it and we will indicate whether or not we oppose it.

The Chair: Are we ready for the vote, then? Is it the pleasure of the committee that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the nays have it.

Vote stacked.

Section 2 agreed to.

Section 3:

The Chair: Mr Mackenzie moves that subsection 7(7b) of the act, as set out in subsection 3(3) of the bill, be amended by striking out “twenty-one” in the third line and substituting “seven.”

Mr Mackenzie: Simply, there are three amendments in this particular area to initiate a quicker response from employers to health and safety representatives.

Hon Mr Phillips: The original wording, as I recall, was 30 days, and during the committee process we reduced it to 21. I think there is a balance here between a quick response and a thoughtful response. We are of the mind that the joint health and safety committee recommendations must be carefully considered by the employer and responded to in a careful manner. Nothing prevents, obviously, the employer from responding sooner than 21 days, and indeed I think we all appreciate that there will be situations where an instant response would be expected, because we are dealing with a matter that can and should be responded to instantly.

We agreed to move from 30 days to 21 days at the committee stage in the belief that it would allow sufficient time for a thoughtful review by the employer, without putting it in the position where it can respond by saying, "There simply isn't enough time for a thoughtful response." So we were trying to balance that and I guess we would believe that the 21 days is the balance between the two objectives.

Mr Mackenzie: There may be some investigations that require the thoroughness that is being suggested by the minister, but when you are dealing with a health and safety matter in the plants, and particularly if it is a more urgent matter, it seems to me that if an investigation has been asked for, if there is a report to be issued on it or the conditions are to be outlined, 21 days is still a long time for the workers to wait. The original intent, we think, was a much quicker response. Thirty was certainly too long, so you could say 21 is a gain, but most workers would find it hard to understand why you would need 21 days to respond.

Miss Martel: If I might just add a few comments, I agree with my colleague. I think 21 days is a long time and I think what you might find in many plants is that employers will use that as the maximum. They will not respond, as we hope, right away, within seven days, five days, two or whatever, but will hold on until that 21 days. If at that point in time the problem remains, then you get into a continuous problem of going on and on trying to get this whole matter resolved.

I would feel much happier if we went back to the seven days, even if at that point in time the employer was to provide a quick interim response suggesting and outlining what he planned to do and promising to get back to the joint health and safety committee with a fuller response at a later date. But I think the employers should be right on this matter at the earliest date possible, and that is why we have suggested we go back to the seven days.

Hon Mr Phillips: This was a subject of some considerable debate in the committee and, as I say, I think we have weighed the arguments and continue to feel that 21 days is appropriate.

The Chair: Fair enough. Any more discussion? Are we ready for the vote? Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: Mr Mackenzie moves that section 3 of the bill be amended by adding the following subsection:

"(5) The said section 7 is further amended by adding thereto the following subsection:

"(11) A health and safety representative is entitled to bring in a technical adviser to inspect and monitor the workplace to identify situations that may be a source of danger or hazard to workers and to attend meetings with the constructor or employer when mutually agreed."

Mr Mackenzie: We are into an area where there are any number of chemicals not all that well tested before they are used in the workplace. We are into almost daily situations where people need additional outside expertise. I attended a meeting just this past week at the University of Toronto where the call, certainly from the student body and from at least some of the staff, was that they were going to need an outside and independent opinion on an asbestos problem that existed in the rooms we were holding the meeting concerned.

There was quite a large number of people there. The expertise or the arguments were not accepted, neither the university's side nor the workers' side in the situation, and they were asking for some outside expertise. That may not be the best example in the world, but there are many cases where it would be useful to be able to call quickly upon outside expertise in a work situation.

1600

Hon Mr Phillips: It is quite an important matter and one that has been the subject of a lot of debate, because there is a certain interest in it. The challenge we run into here is that when you face a circumstance where we need confidence by the parties in the process, we are concerned about having, in one workplace, several different studies and opinions being voiced on an issue. We feel that what is normally required in a circumstance like this, if the two sides cannot agree on the process, is to have our inspectors work with them to find a process that they both will have confidence in, and therefore when the results of that process are complete, they both will have felt that is something they can accept and be part of.

The concern we have is that if a group is using outside resources without the opportunity of getting the two sides together to agree on it, rather than being helpful, it is harmful to the situation. So we would be against this amendment which again was brought forward at the legislative committee. We believe that it would be actually counterproductive to resolving health and safety concerns in the workplace, and rather, we should play the catalyst role to find a process both parties would agree on.

Miss Martel: May I bring to mind two situations for the minister, both concerning asbestos as well. Most recently in my own riding his ministry was involved with the separate school board and the Ontario English Catholic Teachers' Association, and with the joint health and safety committee that represented both OECA and CUPE.

At that point in time the school board, quite frankly, decided that the problem in the school board was not a problem. In fact, although the joint health and safety committee had requested to the school board that it be allowed to bring in an independent consultant, and pay for that consultant I might add, the school board took the position that there was not a problem and that indeed the joint health and safety committee would not be allowed to do that.

They contacted me and through some pressure applied to the board we were able to get the board to agree to have a consultant. The problem we have now is that the board has

decided which consultant it is supposed to be. Now we have to fool around and try to figure out how we get around the fact that the board wants X, Y and Z consultants even though those are not the people that OECTA or the joint health and safety committee wants to bring in.

The ministry has been involved but the problem has been that the joint health and safety committee, for various reasons, is not convinced that there is not a problem, or that it should merely go by what the board has had to say in this regard.

I point out to the minister as well the problems we had with asbestos in the Hamilton school board, but more so in the Toronto school boards, both public and separate. Many people, including many parents, were not satisfied with the results or with what the school board was telling them and so insisted on an independent inspection on the part of their representatives to be assured that in fact all the problems had been identified.

I think that would not have come about had it not been for the protests and the very loud and ugly public meetings that arose in order to convince the board to do that. So I certainly think the joint health and safety committees should be allowed to do that, because quite frankly, in some of the situations I have been involved in the employer—in this case the board—has not had any desire whatsoever to try to work it out or allow for an independent inspection or for the other side to be assured that there was not a problem. I do not see how we are going to get around that unless they can bring in their own people to do their own studies.

Hon Mr Phillips: We can get around it by the workplace parties asking us to be involved in it. We will find a mechanism so we get the two workplace parties to a process they both have confidence in. In the particular Toronto one, we were not dealing with the workplace party; we were dealing with parents. What this bill deals with is the workplace parties and I would suggest that the process is far better served by the two workplace parties and ourselves working to agree on a process that both have confidence in and that will lead to a decision that they both can feel they have been party to and part of.

The Chair: Are there any other comments? Are we ready for the vote? Is it the pleasure of the committee that the motion carry?

Do I hear some “nos” and “carrieds”?

Mr Wildman: Do not ask for them.

The Chair: Whichever way, I want to hear clearly from members to help the Chair.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the nays have it.

Vote stacked.

Section 4:

The Chair: Mr Phillips moves that subsection 4(2) of the bill be struck out and the following substituted:

“(2) Subsection 8(2) of the said act is repealed and the following substituted therefor:

“(2) A joint health and safety committee is required,

“(a) at a workplace at which twenty or more workers are regularly employed;

“(b) at a workplace with respect to which an order to an employer is in effect under section 20; or

“(c) at a workplace, other than a construction project, where fewer than twenty workers are regularly employed, with respect to which a regulation concerning designated substances applies.

(2a) Section 8 of the said act is amended by adding thereto the following subsection:

(3a) The constructor or employer shall cause a joint health and safety committee to be established and maintained at the workplace unless the minister is satisfied that a committee of like nature or an arrangement, program or system in which the workers participate is, on the date this act comes into force, established and maintained pursuant to a collective agreement or other agreement or arrangement and that such committee, arrangement, program or system provides benefits for the health and safety of the workers equal to, or greater than, the benefits to be derived under a committee established under this section.”

Hon Mr Phillips: The intent of all of that is—I would say “merely” although others may not agree with “merely”—to clarify that it was not our intent to require a joint health and safety committee on a construction project with fewer than 20 workers even if there was a designated substance on the project. Our concern is that to establish a joint health and safety committee, say, on a project of five or six workers is not practical in the construction industry.

The other requirements are the same as in the present act, but this is designed to accomplish what we think is a relatively straightforward housekeeping matter, and that is to not require, as I say, the establishment of joint health and safety committees on projects of under 20 workers.

Mrs Marland: Maybe I could ask the minister about clause (b), “at a workplace with respect to which an order to an employer is in effect under section 20.” Is it possible that this workplace to which an order is in effect may be a workplace with fewer than 20 people?

Hon Mr Phillips: I think that is a possibility. I think the minister can designate the need for a health and safety committee under that section.

Mr Wildman: I have a question. Could the minister explain the exact difference between this amendment and the original wording of the bill in this section, in intent? What is the main difference with regard to the limitations with regard to construction sites?

Hon Mr Phillips: I will have to fairly quickly find where the wording changes. The intent was to not require, under this amendment, a joint health and safety committee on projects of fewer than 20 workers even though there may be a designated substance on that site. That is the intent. The specific wording change, I will need fairly quickly. Do you have where the difference in wording is between the two? I think, probably, we are adding the words—keep me honest here, staff—“with respect to which a regulation concerning designated substances applies.” Is that correct? That is under (c).

1610

Mr Mackenzie: In fact, is that not a backing off in terms of the legislation, that where designated substances were involved there could be a committee with less than 20 workers and now it is not necessary or there will not be?

Hon Mr Phillips: I do not think it was ever our intent to require a joint health and safety committee in those circumstances. I guess, as we went back through the wording, it was an inadvertent set of wording that was in the original bill because we had not anticipated the establishment of joint health and safety committees where there may be three or four workers on the site. I suppose you could say it is a change that does not

provide the same level of protection, but it was not one that we originally intended to have in the bill.

Mr Mackenzie: Surely, the minister will not disagree with the fact that there could be some highly involved or concentrated projects where there may only be 10 or 12 or 15 workers involved, but where they are dealing with toxic substances or hazardous substances and it may very well be a case where there is a crying need for a committee and that now is not necessarily automatic.

Hon Mr Phillips: I guess I would say two things. One is that there are requirements for how one deals with designated substances on any site and it would be our belief that those requirements would provide the solutions to the concerns. Our concern is just in the construction area. We are moving from joint health and safety committees on maybe five projects in the province to, we think, 5,000 projects. We are making quite a substantial change in that. We want to make certain that our recommendations are also very practical and we are concerned about joint health and safety committees on very small projects. We think dealing with designated substances can be handled under things such as our workplace hazardous materials information system regulation.

Mr Wildman: I am trying to understand the minister's position here. Am I to understand that the protection for workers dealing with designated substances extended in the original wording was inadvertent? In other words, that workers in this province, when they do gain extra protection from this government, it is only because this government does it by mistake. If that is the case, I am wondering if we could have an explanation of how the WHMIS program will provide the adequate protection for work sites with less than 20 employees, as indicated by the minister. If that is an adequate approach, why it is that we are treating work sites with more than 20 employees differently?

Hon Mr Phillips: Why we are dealing with work sites of more than 20 employees differently is that we believe the joint health and safety committees on projects of that size have a benefit. As I say, we are moving from virtually no joint health and safety committees in construction projects to perhaps 5,000 in the province.

As we put forward the bill, it was never our intent to have joint health and safety committees on projects of fewer than 20 workers. It was only as we worked our way through this process that we determined that this clause would have had that effect. As I say, the solutions to the concerns about the designated substances are—obviously, we inspect those projects on a regular basis—that there are controls around designated substances. While we may not have a joint health and safety committee on those projects, we do have a worker representative on any project of over five workers who also will have an opportunity to keep an eye on the designated substances.

Mrs Marland: I would like to go back to my question about (b). You are saying that where an order to an employer is in effect under section 20, it may be possible to require a joint health and safety committee. How would that work and how does that not contradict (a)? How would it work if you had, say, less than five employees? How could you have a joint health and safety committee if you had very few employees? What is section 2(b) saying? Is it saying while the order to the employer is in effect, and then as soon as there is a compliance, does the health and safety committee disband?

Hon Mr Phillips: The intent, of course, is that where we have 20 or more workers on a project, we would have a joint health and safety committee. There may be circumstances where, with our experience with a constructor or with the particular project that is going on, the minister requires the discretion, even though there are not regularly 20 or more workers there, to say in spite of that we should have a joint health and safety committee.

Currently, the way that joint health and safety committees on construction sites are approved is by the minister designating them. To a very large extent, we are going to require them. But (b) gives me the discretion, even though it is a smaller project, to appoint a committee. As I say, it may be because of the particular history of a constructor. It may be because of the particular history of that site that it would be required, even though there are fewer than 20 employees.

Mrs Marland: Maybe there is another way to ask the question, then. Is there any minimum number of employees where it would not make any common sense or would not even be feasible to have a joint health and safety committee? Are some joint health and safety committees two people—the employer and the employee?

Hon Mr Phillips: I cannot do anything other than repeat what I said earlier. There may be certain circumstances where, even though a project does not meet the regularly 20 or more workers, in the opinion of the minister a joint health and safety committee is required. That provides the minister with that power.

Mr Mackenzie: I am wondering just once again for my own information if the minister can tell us, in a site of less than 20 employees, just how we currently make sure that all of the X number of employees on that site are aware of the WHMIS regulations and what they are dealing with. How is the training put in place and how are the employees notified?

Hon Mr Phillips: I said before, I think what we have is we ensure that we have on projects with five or more workers a worker representative who would be designated by the employees on that site as their representative who would be familiar with the WHMIS regulations to ensure that if there are designated substances on that site, he or she, along with the rest of the workers, was aware of it. There were requirements placed on the employers to ensure that they properly manage them. Our inspectors who deal with the construction sites would ensure that that is enforced.

The Chair: All those in favour of Mr Phillips's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Vote stacked.

1620

The Chair: Miss Martel moves that subsection 8(5c) of the act, as set out in subsection 4(3) of the bill, be amended by striking out "to the extent possible" in the third and fourth lines.

Mr Mackenzie: We had a fair bit of fun in the committee as to whether or not "to the extent possible" was more protection or better than "if possible." I have real difficulty in deciding that one is any better than the other and we think that should be out.

Mr Wildman: Just for the sake of the members of the House who were not present in the committee to hear our

debate on the difference between "if possible" and "to the extent possible," perhaps the minister could explain what the difference is in those words, to find out really what it means to say "to the extent possible" as opposed to "if possible," because I am not sure most of the members of the House would understand the nuances and the particular differences in those words. If the minister can explain it to us, perhaps we would be satisfied, but at this point, as my colleagues indicated, we believe there should not be any phrase with the word "possible" in it in the section.

The Chair: Minister, comments?

Hon Mr Phillips: Just a moment, Mr Chairman.

The Chair: Do not adjust your sets.

Hon Mr Phillips: I am sorry to take the time. My challenge is that we just saw the amendments recently, so I have not had a chance to go through them in detail. I am trying to refresh my memory. This was something we debated at the committee. We added "to the extent possible" at the committee.

Mr Wildman: You just changed the word "if" to the words "to the extent."

Mr Dietsch: By agreement with the committee.

Mr Wildman: That is right. We objected, but the committee agreed.

Hon Mr Phillips: I thought there was agreement at the committee to the words "to the extent possible," and now they are moving that it be "if possible."

Mr Wildman: No, no, we are moving to take the words out.

Hon Mr Phillips: Oh.

Mr Wildman: If I can be helpful, I know this might even sound picayune, but the argument was made at the committee that there was some significant difference between the words "to the extent possible" and the words "if possible." I did not quite grasp the meaning of that and the significance of that at the time and I still do not, and for that reason we want to have the whole phrase removed.

The Chair: If I understand well, in committee there was a vote that won to change it to "to the extent possible" and your amendment is to remove it.

Mr Wildman: That is correct. If you note, on the printed version of the bill before us, there are two black arrows. The two black arrows, as I understand it, indicate that this section was amended in committee, and the amendment was to change from the words "if possible" to the words "to the extent possible." I would just like to know what the significance of that is; I still do not know.

Hon Mr Phillips: If the intent is to take out both, either "if possible" or "to the extent possible"—

Mr Wildman: That is our intent, yes.

Hon Mr Phillips: Right. We have difficulty with that in that there may be circumstances where there is no employer representative on that site. There will be certain instances where there just is not an employer representative on the site. So we were attempting to direct the employer—that is why we had the "if possible" and "to the extent possible"—to select the employer representative from the site. It is possible in some areas that there is just not, on an ongoing, regular basis, an employer representative, so the intent was to say to the

employer, "Pick from someone on that site." If there is no one, they need the opportunity to pick somebody from offsite, somebody who perhaps is there for only a period of time or very seldom.

Mr Wildman: I do not want to prolong this, but it seems to me what the minister is basically saying to us is that there is no difference between the words "if possible" and the words "to the extent possible," that it still has the same effect.

Mr Dietsch: Other than that we were trying to be congenial with you, Bud.

Mr Wildman: Okay. All right. In that case I appreciate the attempt to be congenial, but it still has the effect that we do not appreciate. I would say that we want to have the whole phrase removed.

Hon Mr Phillips: I want to be absolutely clear that I am clear on this, Mr Chairman, because the wording that I have before me is that you move that the subsection of the act as set out be amended by striking out "if possible" in the third and fourth lines, just striking it out completely.

The Chair: They are not striking out "if possible." It is my understanding that in the committee the word "if" had been replaced by "to the extent possible." Now they are moving to remove that completely, to remove "to the extent possible."

Hon Mr Phillips: I see.

Mr Wildman: The problem is that our amendments were drafted prior to the amendment being passed in the committee. That is why the original wording is there. We did not catch it when we went over it. That is why my colleague, when she introduced it, changed the wording.

Hon Mr Phillips: Mr Chairman, we have the problem I outlined before, that there could be circumstances where the employer does not have a representative onsite and that was why we put in "if possible" or "to the extent possible" in the wording.

The Chair: In other words, you want to keep "to the extent possible."

Hon Mr Phillips: Yes, Mr Chairman.

Mr Wildman: If that is possible.

Mr Dietsch: To the extent that that is possible, we will.

The Chair: I am doing pretty well, considering that English is my second language, yes.

All those in favour of Miss Martel's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

1630

The Chair: Mr Mackenzie moves that subsection 8(6b) of the act, as set out in subsection 4(6b) of the bill, be amended by striking out "twenty-one" in the third line and substituting "seven."

Mr Mackenzie: It is a similar point to an earlier one we made. The section simply says that a constructor or employer who receives written recommendations from a committee shall respond in writing within 21 days. It is our feeling that, if the committee has done its work and made the recommendations once again, all we are really doing is putting the workers at risk

if we are going to wait 21 days. We think it should be within the seven days.

Hon Mr Phillips: I think we had a similar debate earlier, and for the same reasons I would suggest that we would not agree with that.

The Chair: Are we ready for the vote? I will read the amendment in its entirety since there was a typo mistake, just to make sure. Please listen carefully.

Mr Mackenzie moves that subsection 8(6b) of the act, as set out in subsection 4(6b) of the bill, be amended by striking out "twenty-one" in the third line and substituting "seven."

Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Chair: We have another amendment to subsection 8 of section 4.

Mr Mackenzie moves that section 8 of the act, as amended by subsection 4(8) of the bill, be further amended by adding the following subsection:

"(12d) A member of the committee is entitled to bring in a technical adviser to inspect and monitor the workplace to identify situations that may be a source of danger or hazard to workers and to attend committee meetings when mutually agreed."

Mr Mackenzie: I think it is the same argument, as we try to develop not only some trust but a better and safer workplace, that we have the ability to bring in technical expertise. It is quite often needed in this modern day and age. To us it just simply makes sense.

Hon Mr Phillips: We would use a similar argument that we had before, and that is that for the resolution in the workplace, we are best to have a process that both sides have participated in and feel comfortable with and accept. That is where the Ministry of Labour gets involved where required and develops the necessary studies to be done. So I am again, as we were earlier, opposed to this motion.

Mr Wildman: I have heard the arguments and I think that all of us would agree that it would be helpful if both the workers and the employer could agree on a technical adviser who was acceptable to both sides, but that may not often happen. In this case, it seems to us that if we are really going to be giving powers to the committee, the members of the committee must have the expertise available that they require and they should have the right to choose who is best to give them that expertise.

I do not know what the concern here is. For instance, my colleague the member for Sudbury East earlier raised the question of the various schools and the asbestos problem in a number of school boards. In those cases, the teachers or the support staff and ultimately the parents requested that Stan Gray come in and look at the workplace and the school to determine whether or not there was a problem with asbestos.

Initially, some of the boards that were involved objected. They said: "We do not need this person who has been chosen by the support staff or by the teachers or by the parents to come in. We have our own people and we have access to the Ministry of Labour inspectors, and we do not think that we need this extra opinion."

It seems to us—and I am not talking about an attempt to harass the employer; I am talking about an attempt by a member of a health and safety committee to get independent opinions—that that member of the committee should have the right to choose and the individual who has the expertise from whom the member is seeking the opinion should have access to the workplace in order to be able to express an opinion.

Again, I am not attempting to prolong this, but I just cannot understand why there would be objection to this, unless there is a suggestion that we do not want to give the members of the committee the kind of power that we purport to give them in this legislation. I do not think that is the purpose. I hope it is not.

No matter how well trained a member of a worker health and safety committee is, or for that matter, whether that member is a worker on the committee or a member of management on the committee, he will perhaps run into situations where he does not have all the technical information he requires and there may not be a mutual trust between the worker and the employer that might lead the worker to accept the position taken by management, or even by the ministry inspector.

I want to point out that in our amendment it says "when mutually agreed." "A member of the committee is entitled to bring in a technical adviser to inspect and monitor the workplace to identify situations that may be a source of danger or hazard to workers and to attend committee meetings when mutually agreed."

We are not suggesting that in terms of the meetings, a member of the joint health and safety committee could bring in this person by surprise or unannounced. He would have to notify the management people on the committee and if the management people objected, then the person could not attend the committee. So I cannot really understand what the objection would be, unless it is that they are concerned about access to the workplace for the inspection itself. But again, we are talking about "when mutually agreed." If we did not have that phrase in there I could understand the objection, but with that phrase I do not.

I will not go on at any greater length. It just seems to me that it is reasonable to accept that if the workers on the joint health and safety committee want expertise, they should have the right to go to the employer and the representative of the employer on the committee and say, "Do you agree to us bringing this individual in to inspect and to attend the meetings?" If the employer representative does not agree, then nothing will happen.

Hon Mr Phillips: Let me go back to the general argument made earlier, and I appreciate the point the member is making about "when mutually agreed." I guess when it is mutually agreed, by definition the individuals can come in and therefore it is redundant to put the words in. I think that the problem with putting it in with all the words before it is we then get into circumstances of who incurs the costs and things like that.

I think this amendment is unnecessary because where the two parties mutually agree, then obviously it happens. The problem with putting it in the bill is that it then runs the risk of complicating the situation and even of indicating that one party or the other may be required to pay for it. Where they mutually agree on it, it already occurs and is therefore unnecessary.

The Second Deputy Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

1640

Mr Wildman: This means we didn't mutually agree.

The Second Deputy Chair: That is right.

Section 5 agreed to.

Section 6:

Miss Martel: On a point of order, Mr Chairman: The amendment says section 6. It is actually section 7. We have made an error in the numbering.

Section 6 agreed to.

Section 7:

Miss Martel: Mr Chairman, before you start to read it all in, can I ask the indulgence of the House to give you the changes? We have made a couple of errors in terms of the letters and the numbering. I would like to go through that first before I move it so we know what we are dealing with.

The amendment is to section 7. Instead of section 10d of the act, it should be subsections 10c(3) and (4) that we are moving, as set out in section 7, not 6, of the act. There is one more at the bottom, where the paragraph reads "Coming into force," subsection 10c(5). It should be "subsection (3)" not "subsection (1)."

The Second Deputy Chair: Miss Martel moves that subsections 10c(3) and (4) of the act, as set out in section 7 of the bill, be struck out and the following substituted:

"10c(3) The agency shall determine the representation in respect to the manner in which an association, clinic or training centre is operated, and no grants or funds shall be given to any accident prevention association, occupational health and safety medical clinic or training centre established or continued under this act unless such representation is achieved.

"(4) Within six months after this section comes into force, the agency shall establish a plan for the representation in respect to the manner in which an association, clinic or training centre is operated.

"(5) Subsection (3) comes into force one year after this section comes into force."

Mr Mackenzie: The essence of it is that we want the agency to determine how the clinics are represented, and that is really what is at stake in this issue.

Hon Mr Phillips: Just so I am clear on this, I guess there are three changes being proposed to the current bill.

One is that the agency will have the final say in the representation, and I think the intent was to have an independent look at whether the various organizations complied with the 50-50 or not, rather than the agency. That is one change. The second change, I gather, is the implementation time, one year instead of two years, and the third change is that it does not specify 50-50 representation on the clinics, the association or the training centre.

Is that right? I just want to make sure I have the changes that this represents.

Mr Wildman: Yes, that is correct. The purpose of the amendment is to ensure that, while the agency is bipartite and will determine the representation, the decisions with regard to representation will not be dictated in the bill.

Hon Mr Phillips: I think this again was the subject of a fair bit of discussion at the committee stage. All of us are anxious that the agency work effectively. It is a new and quite an innovative step in health and safety in the province, and indeed in the relationships between employers and employees.

One of the things that we felt at the stage when we were drafting the bill is that we wanted to make certain that the various organizations did in fact have the proper representation. That is a role we felt, in drafting the bill, we would best leave to the minister to determine in the final analysis, after advice from an independent source. It does change the responsibility from someone advising the minister to the agency. We think at this stage we are better to have the adviser advising the minister, in terms of making certain that the representation is as it should be.

In terms of the timing, we are dealing with quite a significant change for many of these organizations and we wanted to make certain that these organizations move quickly, but none the less in a way that they did not find overly disruptive. That is why we are suggesting two years for implementation rather than one year.

Those are the two reasons and, therefore, we would be against the amendment and in favour of our original proposal.

Mr Wildman: I will not speak to the question of timing at this point, but I just want to say that we are attempting in this amendment to make it as flexible as possible. Right now, I am sure that some of the accident prevention associations would like to maintain perhaps some of the people who they feel have developed some expertise in their organizations to be represented on the boards.

In some cases it may in fact be preferable to have bipartite representation and equal representation, as is set out in the minister's bill. But on other occasions it might be better, as long as it is with the approval of the agency, which is bipartite, to have some other type of representation. We are just trying to be flexible here and not to tie the hands of the agency or the associations and clinics or the training centre.

At this point, I will not speak to the question of timing, but I would like to hear the minister's arguments, if he has any, against the possibility of flexibility of representation, again keeping in mind that the agency is bipartite and must approve.

Hon Mr Phillips: I guess I go back to the intent of the motion, that with the agency just being established and with it having quite broad responsibilities, as we drafted the bill we felt that the adjudication of whether the other organizations had met the requirements of 50% from each group rested best with an independent adviser speaking and advising the minister on it. So as I repeat myself, I think we would be against this amendment and in favour of the original parts of the bill.

1650

Mr Mackenzie: I think I understand what the minister is saying but, if the minister will forgive me, I would like to know why an adviser in his office, a new position, would be more neutral in making these decisions than a bipartite agency, where you have to make the system work, and how the minister can really argue that that is a more independent approach to the decisions that have to be made.

Hon Mr Phillips: As I said, as we embark on quite a bold new step here, I believe—it is my personal opinion—this agency will pave the way for other opportunities for partnerships between employees and employers. I think people will look

back on this agency and say, "That was a move that paved the way for new relationships."

It happens to come in an extremely important area in health and safety, one that I think both parties should be equally committed to. Having said that, it is, I think, the first opportunity for that major bipartite organization, made up of 50% from the labour movement and 50% from the employer community.

I guess my concern is not to burden the agency with too many things. My concern is that we do have organizations out there that have been functioning for some time and are wanting to move forward. I think they are committed to the bipartite nature. I think many of them, the safety associations, actually are moving in advance of this legislation, to implement it. Having said that, I think that as we move on this, we also need to move perhaps not as swiftly as others might like to see us move.

I think the independent adviser analysing the situation to determine whether in fact we do have what we want, a 50-50 representation, in providing advice to me, is the better approach. The agency could do it, but we think this is a better solution.

Mr Wildman: Besides the question of flexibility, which I argued for a moment ago, I am more than a little concerned about the process that is proposed in the wording as it is now set out in the bill.

Although the minister says this individual, who is designated, would be independent, in fact it seems to me that this individual works for the minister. If that is the case, in essence what is basically being proposed here is that the minister will determine the representation—not necessarily the individuals and the names, but the proportion—through his adviser.

That then brings into real question the whole independence of this process and whether or not these organizations are indeed independent. That is why we believe the agency should be the one responsible for determining whether representation is acceptable on the various agencies, the associations, the clinics, the training centres and so on. That, in our view, would ensure the independence of the agency.

To have someone working for the minister, designated for the minister to carry out this role, in our view then takes away from the independence. It does not add to it, as the minister argued.

Mr Mackenzie: On the same point: The minister did say, if I was hearing him correctly, that the agency could do it, but he did not want to load them down. There were a number of other arguments that I understand. This is the reason for the independent adviser. Does the minister not also recognize that what he is doing is inviting a conflict or a question of jurisdiction? He is inviting a confrontation in an area and in a situation where a lot of the core of this is the agency and where it should have the authority.

Hon Mr Phillips: I think the whole process is going to require some goodwill on a lot of people's parts. As the wording says, the individual will advise the agency on whether or not the composition is 50-50. I think that the selection of the individual by the minister will be done in a way that adds to the process and builds the confidence in the process and the commitment to the process.

Quite clearly, as we embark on this, a lot of trust is going to be required on all sides. The individual who would be selected would be one who I, as the minister, would think would have the confidence of the parties involved that his or her designation would be seen to have been reasonable.

I think we have to have a little bit of confidence in all of this process that the individuals who will sit on the agency have the trust and confidence of others and that the individual selected to examine the matter of the 50-50 relationship would have the confidence of people in the process. Certainly for the minister that would be one of the criteria in selecting the individual.

Mr Wildman: I would like to draw the attention of the committee to subsection 7(8) just to see how that impinges, if it does, on the section that we are now dealing with. That subsection—this is on page 13 of the bill—says:

"If the agency fails to fulfil any of its functions and the minister determines that there is a significant public interest at stake, the minister may take whatever steps are necessary to ensure that the functions are fulfilled."

If we were giving the agency the responsibility of determining representation, would that subsection not cover what the minister is attempting to cover in his wording of subsections 7(3) and (4)? If he accepted our amendment then it would still give the minister the overall responsibility but at the same time would add to the independence and the appearance of independence of the agency.

Hon Mr Phillips: I might tell the members that I view subsection 7(8) as almost a last-resort section. I almost hate to have it in the bill, because I do not anticipate ever needing to use it. As I say, I would prefer—I should not say I would prefer it not to be there, but I think it is required as a last resort and not one that I, as a minister, would ever contemplate using lightly because my expectation is that this agency is going to work and will work well. I think that section was put in as a kind of final move in the unlikely prospect that something was not functioning well.

I would hate to use that section ever, and I view it as a last resort. That is why I would not view that as a substitute for subsection 7(3), dealing with a person designated by myself to advise the agency that the governing body of the organization does not, in his or her opinion, have an equal number of representatives. I would much rather deal with it under that subsection than under subsection 7(8).

Mr Mackenzie: Does that comment then indicate that the minister would be prepared to remove that section from the bill?

Hon Mr Phillips: Subsection 7(8)? Well, as I said before, I do not contemplate the prospect of using it. I think, though, it is a mechanism for dealing with some extreme possibility. None the less, we should at least contemplate that that is a possibility and, therefore, have it available. I wanted to put the flavour around it for the members in that I do not see using section 8, as the member might suggest, for dealing with an item that we are trying to deal with in section 3.

1700

Mr Wildman: On a point of order, Mr Chairman: I wonder if the committee would agree to split this amendment, to vote on the coming into force subsection separately from the other two subsections.

The Second Deputy Chair: I am at the direction of the committee. Does the minister follow that?

Hon Mr Phillips: I think we are trying to be reasonable here, and if—

Mr Wildman: The reason I am suggesting that is that this section deals with timing while the other one deals with representation. They are not exactly the same issue. That is why I am suggesting that we vote on them separately.

The Second Deputy Chair: We seem to have some movement of co-operation. What shall we call it? Section 7?

Mr Wildman: It is to subsection 7(5).

The Second Deputy Chair: No. I am thinking more of the coming into force.

Mr Wildman: Oh, I see.

The Second Deputy Chair: What are we going to call that?

Mr Wildman: Sorry. I am not with you, Mr Chairman.

The Second Deputy Chair: Oh, I see, we are going to call it all section 7 and then a further amendment to section 7. How is that? Two amendments? Is that what you would like, two amendments to section 7?

Mr Wildman: Yes.

The Second Deputy Chair: Does the minister follow that? Parliamentary assistant?

Mr Wildman: We are just going to be voting on them separately.

Hon Mr Phillips: My understanding is that the member would like to deal with each of them separately, three separate—

Mr Wildman: No.

Hon Mr Phillips: Just two?

Mr Wildman: Just subsections 3 and 4 together; subsection 5 separately.

Hon Mr Phillips: Yes. I think that is reasonable.

The Second Deputy Chair: So just a proposed amendment to subsections 7(3) and 7(4) and a further amendment to subsection 7(5).

Mr Wildman: Right.

The Second Deputy Chair: Let's deal with subsections 7(3) and 7(4) then.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Second Deputy Chair: Then we will deal with subsection 7(5).

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

Sections 8 to 11, inclusive, agreed to.

Section 12:

The Second Deputy Chair: Dealing with section 12, proposed government amendment. Is that right? That is what I have here.

Mr Dietsch: Just let the question be called.

Hon Mr Phillips: Well, I do—

The Second Deputy Chair: You want to go against this?

Mr Phillips moves that section 12 be struck out.

They just want to do away with section 12; so the government would vote against the original section 12 that it had proposed.

Hon Mr Phillips: Just by way of explanation, Mr Chairman, you will see later on that we have made some proposals around the public sector's right to refuse that we think go well beyond what had been intended in this section. This section was intended to deal with it originally and therefore we think we have a better solution.

Mr Mackenzie: It does remove the advisory committees. We originally had hoped that the public sector would be covered under the language of the bill and not under the new section the minister is bringing in, although as we acknowledged in the House today, it is a slight step forward at least, and for that reason we will support this deletion.

Motion agreed to.

Section 12 deleted.

Section 13 agreed to.

The Second Deputy Chair: Mr Phillips moves that the bill be amended by adding the following section:

"13a. The said act is further amended by adding thereto the following section:

"(1) A licensee shall ensure that,

"(a) the measures and procedures prescribed by this act and the regulations are carried out with respect to logging in the licensed area;

"(b) every employer performing logging in the licensed area for the licensee complies with this act and the regulations; and

"(c) the health and safety of workers employed by employers referred to in clause (b) is protected.

"(2) In this section, 'licensed area' means the lands on which the licensee is authorized to cut crown timber."

Mr Wildman: I understand that prior to my coming to the House, the definition of "licensee" was dealt with by the committee. Is that correct? Okay. "A licensee means a person who hold a logging licence under the Crown Timber Act."

A number of questions were raised before the standing committee on resources development with regard to the forestry industry and what this section meant. There was the argument raised about who indeed was the employer as defined under this bill. Abitibi-Price, for instance—we will use that as an example—is a large pulp and paper company that has a large licensed area, perhaps under a forest management agreement, and has hired logging contractors, jobbers, to harvest timber from that licensed area through a third-party agreement. Was it the company that had the licence for the large tract of crown land or was it the individual jobber who might employ a cutter and a skid operator and maybe a trucker to take the logs out?

I suspect that is what the amendment is attempting to deal with. If I am correct, perhaps the minister can tell me, in that scenario that I described, is the jobber the employer who is responsible under this bill?

1710

Hon Mr Phillips: I got an answer from the lawyer. He cannot answer in general. The employer will depend on the contracts between licensee, jobber, cutter and skidder. The intent of this amendment, and I think this is the third in a series we are dealing with here, is, on the one hand, to ensure that we

hold the licensee of the crown timber land accountable for health and safety in his licensed area. That is, I think you can see by the ones I just read, the intent.

The problem we have run into is that our original language did not call in the licensee, but rather the employer. That, in law, is not correct and, they felt, would have attributed responsibilities to them in other areas that they did not have.

They do not mind the things that we hold them accountable for here, health and safety, and this is what we are trying to deal with in this bill, but found that by defining them—in other words, the crown timber licensee—as the employer in Bill 208, there was concern that in other areas they would then be found to be the employer.

What we are trying to do, and I repeat myself, is hold the crown timber licensee accountable and responsible for the things that we prescribe here, but not hold them accountable as the employer.

Mr Wildman: I understand what the minister is saying. I understand my friend the member for Lake Nipigon intervened in the debate earlier with regard to the question of licensee.

What the minister is essentially saying is that the person who has the licence signed over to him or her by the crown is the person who is responsible in this case but not in the wider sense, and that is fine.

Motion agreed to.

Section 13, as amended, agreed to.

The Second Deputy Chair: The next government proposed motion is on section 24; the next official opposition motion is on section 20. How about if we carry sections 14, 15, 16, 17, 18 and 19, or do you want a moment?

Mr Wildman: Yes. Perhaps while we are looking this over we could ask the third party to intervene in the debate.

The Second Deputy Chair: Casting my eyes about, I see no further intervention.

Section 14 agreed to.

Section 15:

Mr Wildman: The areas that were of controversy in the committee were in regard to medical surveillance in section 15.

In regard to section 15, there were amendments carried in the committee, and we do not have any further arguments to make with regard to those. Our position was clear in the committee.

The Second Deputy Chair: So there are no further questions on 15, as I understand it.

Section 15 agreed to.

Sections 16 to 19, inclusive, agreed to.

Section 20:

The Chair: Mr Mackenzie moves that subsection 21(3) of the act, as set out in subsection 20(3) of the bill, be struck out and the following substituted:

“(3) For the purposes of this section, a biological or chemical agent is not considered to be new if, before a person manufactures, distributes or supplies the agent, it was used in a workplace other than the person’s workplace and it is included in an inventory compiled or adopted by the minister.”

Mr Wildman: I am sorry, but I believe we have a typo here. Do we not?

Mr Mackenzie: No, we do not. What we are trying to do here is, in the current bill it says, “or is included in an inventory.” We think that it should say, “and is included.” Once again, in a nutshell, what we want is to have all of the substances tested and on the minister’s list before they are used.

Mr Wildman: This is a very minor amendment. It is just changing “or” to “and.”

The Chair: It is not for me to decide.

Hon Mr Phillips: As quickly as I can, I am refreshing my memory on this. I gather the challenge is that if we have the word “and,” it is quite complicated. It makes for an extremely long list. I gather that the rationale that we have is that we want new chemical notices only for chemicals which are new and that there are, I gather, simply too many old ones to deal with effectively by having the word “and” in. I think we would regard it as quite restrictive and in practise difficult to actually implement. That is why we went with the original wording of “or” and why we would continue to recommend the original wording.

Mr Wildman: We made the arguments before the standing committee on resources development, but the problem with this is that if you do not have the word “and,” a chemical conceivably could have been used somewhere on this globe in some workplace that does not have the same kinds of protections that we would require or anything like what we would require and we would face the situation where because that is not considered new, it would be acceptable. That is why we think it should be “and.”

The minister says it is going to be restrictive. He uses the words “unduly restrictive.” In our view, it is going to be restrictive and that is what we are attempting to do, to make it restrictive and to protect workers and to ensure that there is indeed an inventory.

I do not think we need to go on at length. We have made the arguments before the committee. The minister says it would be a very long list; that is the problem. That is exactly what we are dealing with, the fact that there are so many chemicals, and we think that they should be listed.

1720

Mr Mackenzie: It is not my intention to drag this out either, but I know of few issues that workers have fought for longer and harder to try to get the various chemicals they are working with in the workplace tested first and to make sure they are on a list or an inventory that is compiled by the ministry. I do not think it is that onerous or difficult a task and I really have difficulty in understanding why the ministry will not consider this.

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the nays have it.

Vote stacked.

Sections 21 to 23, inclusive, agreed to.

Section 24:

The Chair: Mr Phillips moves that section 24 of the bill be struck out and the following substituted:

“24(1) Subsection 23(1) of the said act, as amended by the Statutes of Ontario, 1984, chapter 55, section 224, and subsec-

tion 23(2) of the said act are repealed and the following substituted therefor:

"23(1) This section does not apply with respect to a worker described in subsection (2),

"(a) when a circumstance described in clause (3)(a), (b) or (c) is inherent in the worker's work or is a normal condition of the worker's employment; or

"(b) when the worker's refusal to work would directly endanger the life, health or safety of another person.

"(2) The worker referred to in subsection (1) is,

"(a) a person employed in, or a member of, a police force to which the Police Act applies;

"(b) a full-time, or a volunteer, firefighter as defined in the Fire Departments Act;

"(c) a person employed in the operation of a correctional institution or facility, a training school or centre, a place of secure custody designated under section 24.1 of the Young Offenders Act (Canada) or a place of temporary detention designated under subsection 7(1) of that act or a similar institution, facility, school or home;

"(d) a person employed in the operation of,

"(i) a hospital, sanatorium, nursing home, home for the aged, psychiatric institution, mental health or mental retardation centre or a rehabilitation facility,

"(ii) a residential group home or other facility for persons with behavioural or emotional problems or a physical, mental or developmental handicap,

"(iii) an ambulance service or a first aid clinic or station,

"(i) a laboratory operated by the crown or licensed under the Laboratory and Specimen Collection Centre Licensing Act, or

"(ii) a laundry, food service, power plant or technical service or facility used in conjunction with an institution, facility or service described in subclause (i) to (iv).

"(2) Subsections 23(11) and (12) of the said act are repealed and the following substituted therefor:

"(11) Pending the investigation and decision of the inspector, no worker shall be assigned to use or operate the equipment, machine, device or thing or to work in the workplace or in the part of the workplace being investigated unless, in the presence of a person described in subsection (12), the worker has been advised of the other worker's refusal and of his or her reasons for the refusal.

"(12) The person referred to in subsection (11) must be,

"(a) a committee member who represents workers and, if possible, who is a certified member;

"(b) a health and safety representative; or

"(c) a worker who because of his or her knowledge, experience and training is selected by the trade union that represents the worker or, if there is no trade union, by the workers to represent them.

"(13) A person shall be deemed to be at work and the person's employer shall pay him or her at the regular premium rate, as may be proper,

"(a) for the time spent by the person carrying out the duties under subsections (4) and (7) of a person mentioned in clause (4)(a), (b) or (c); and

"(b) for the time spent by the person carrying out the duties under subsection (11) of a person described in subsection (12)."

Hon Mr Phillips: This really is quite a substantive motion and it covers three major areas. One is the deletion of "work activity." As members may recall, during the hearings at the legislative committee we attempted to find a way to expand the definition of "work activity" and the problem we ran into was

in finding the right set of words. I think after a good deal of discussion with employees and employer groups it was felt that perhaps the best thing for all concerned was to go back to the original wording. That is what we are proposing here.

The second section is the one that I mentioned earlier today, which is to provide public sector employees, workers, with the right to refuse subject to the limitations that members see spelled out here. I think perhaps it is fair to say that during the legislative committee hearings, this was perhaps one of the most significant areas where groups came before the committee.

We proposed earlier an attempt to resolve this through, I think it was, section 12, and we found on reflection that perhaps the solution we are proposing here is a better one. It is similar to what has worked in other provinces and will I think represent a balance between protecting the interest of the public for protection but still provide the employees with an opportunity to redress unnecessary hazards they are subjected to.

The third major area here is again something that I think came out of the committee hearings where there was concern expressed by employees that where they have refused to do a job because they believed themselves to be in danger, the individual substitute worker who was asked to step in was not necessarily advised of the background and the rationale for why the worker had refused to do it.

What we are proposing here is a mechanism that will make certain that if a worker refuses to do a job because he or she believes there is a danger, any worker who is asked to step in for that be apprised of the reasons for it in the presence of, as we go through the subsections, either a committee member—if possible, a certified committee member—a health and safety representative, or in the absence of any of them, a worker who because of his or her knowledge and experience has been selected by the union. There are also some provisions to ensure that this individual will be remunerated for the time he spent doing this.

As I say, I think this is a fairly significant amendment dealing with two of the very major issues that arose during the legislative committee hearings. It attempts to respond, I think, to many of the concerns of the committee members and certainly of many of the people in the groups that appeared before the legislative committee.

1730

Mr Mackenzie: There is a question that this is part of the guts of the bill. The wording—I am going to deal only with the public sector part of it—is in effect the federal wording and it is, we acknowledge, a step better than what we appeared to be getting, but it is not what we would have done or what we wanted.

Our amendment would have been, now we have had some help from legislative counsel, I think, to change it and I just want to put it on the record:

I move that section 24 of the bill be amended by renumbering subsection 24(1) as subsection 24(1b) and by adding the following subsections:

"(1) Subsection 23(1) of the said act, as amended by the Statutes of Ontario, 1984, chapter 55, section 224, is repealed.

"(1a) Subsection 23(2) of the said act is repealed."

In effect, what we would have done would have been to remove the exemption from the bill of the various categories of public sector workers. We could argue for a long time. We have already had a fair debate in committee on this. We would like to have seen that dealt with. Obviously, from the look of it, we were not going to carry it with this government, but that, to our

way of thinking, would have been a positive and progressive move that would have shown an awful lot more trust in our own public sector workers than we are doing.

We are not taking any lead in this province. We are once again grasping for some alternative because what this government was originally suggesting simply showed no faith or confidence in its own workers and just simply was not defensible and it is much better that they have been included. But the government has obviously decided to take the route of looking for some other alternative language and it has picked the federal language. I just want to make it very clear that while that may be a slight improvement over what we were expecting, it is not what we would have brought in if we were bringing in this bill.

Mr Wildman: On a point of order, Mr Chairman: I would like your direction. Would it be in order for us to ask for consent to in fact deal with the amendment my colleague has just read into the record, that is, to put it on the floor and to deal with it? It is quite different from what is proposed by the minister.

The Chair: What you are proposing would be a substitute for what the minister is proposing, correct?

Mr Wildman: A substitute for what is in the bill now and for the amendment the minister is proposing, but only part of it, not the whole thing.

The Chair: Looking at the acrobatics of this, would there be a consensus to deal with your proposed amendment to subsection 24(1) first and maybe deal with the minister's afterwards?

Mr Mackenzie: I had thought that was what we were going to do. I did not jump up quite fast enough on it. As I say, I understand now it is not likely to carry, but I was hoping that was the approach you were going to take rather than the minister's. We may or may not have got it in the correct order or worded properly. Obviously, we were told legislative counsel had some difficulty with it the way it was and they did some reworking of it for us.

Hon Mr Phillips: The members opposite want to express their concern that they would prefer another approach. I personally have no problem with that, if procedurally the best way to do it is to deal first with their motion to essentially delete this section and then to deal with ours.

The Chair: Therefore is everybody agreeable? Agreed. Fair enough. We will come back to yours afterwards, Minister, and we will now deal with Mr Mackenzie's.

Mr Mackenzie moves that section 24 of the bill be amended by renumbering subsection (1) as subsection (1b) and by adding the following subsections:

"(1) Subsection 23(1) of the said act, as amended by the Statutes of Ontario, 1984, chapter 55, section 224, is repealed.

"(1a) Subsection 23(2) of the said act is repealed."

Mr Mackenzie: It really is the heart of the matter. I thought it was a bit of a red herring, the argument the minister used in the House today, listing the things that obviously a policeman or a fireman could not or would not do. There was never any intention that they would not carry out the basic responsibilities they had, but I think if we are looking for a new piece of legislation, a new beginning in the whole question of health and safety in the province of Ontario and how we deal with one another, there should not have been the exclusion of the public sector workers in the province of Ontario. Any difficulties in terms of the responsibilities they have to carry out

can be dealt with in dealing with those specific concerns and not by a blanket exclusion of certain classes of public service employees.

Mr Wildman: We recognize that the minister has attempted to respond to concerns that were raised in the committee, in the debate during the consideration of this bill before the standing committee on resources development, and we appreciate that the minister has taken a step to respond. Having said that, from our point of view we stand by the positions we took in the committee that the public sector workers such as members of police forces, fire departments or people who work in our corrections and so on, should in fact have the same protections that all other workers in this province have. There should not be a differentiation.

We recognize, as the minister said in the House earlier today, that certain jobs, certain professions in this province, have danger and hazard inherent in their work activities. We recognize that at times a police officer has to do important things to protect our society that can involve danger. There are occasions when a police officer might be confronted with someone carrying a firearm, for instance, or might indeed be subject to assault or might indeed have to deal with someone who is violent.

We recognize that, just by being a member of a fire department, an individual is prepared to become involved in very dangerous situations to try to protect life and property in this province and in the community. As I said before the standing committee on resources development, we are not suggesting, and I do not think any police officer or member of a fire department or someone who works in the corrections field in this province ever suggested, that an individual in those professions, facing those kinds of circumstances, would refuse to carry out his or her responsibilities.

1740

We used examples, as the minister did earlier today, of faulty equipment, for instance, where it has been shown that a vehicle does not have brakes—I think the minister used that example earlier today—or a ladder that a firefighter might have to climb is found, early in the shift and prior to a fire call, to be faulty. Indeed, a member of those professions should have the right, as all other workers in this province have, to say, "No, that is a hazard, that is a dangerous situation and it must be rectified before anyone has to use that equipment."

Or for that matter, if someone who was involved in guarding people who have been incarcerated found that there was, perhaps, an asbestos hazard in the correctional facility, that individual should have the right to refuse. That individual should have the right to protect himself, his co-workers and the people for whom he is responsible, by refusing and saying, "This situation must be rectified."

We raised in the committee the very serious problems we have faced with regard to air ambulance workers and we also raised the issue of the tragic experience of a young person who was responsible in a group home for looking after or guarding, if you want to use that term, a dangerous person. We have seen the deaths that have occurred on those occasions and for those reasons.

As we said in the committee, these are very responsible jobs and very responsible positions. People are not given those jobs or those positions unless they are regarded as responsible people. If we think they are responsible enough to guard people who have committed offences, if they are responsible enough to assist the ill in emergencies, if they are responsible enough to

be given the job of protecting the lives and property of the public in this province, then surely they are responsible enough to be trusted not to "abuse" a right to refuse if it were extended to them in the same way it is extended to all workers in the province. It is for that reason that we believe there should not be a differentiation made. We appreciate the fact that the minister has responded in his way with his amendment, which I suspect we will be dealing with in a moment. In our view, part of that amendment does not go far enough.

Mrs Marland: I wonder if the minister can explain something. I ask this question respectfully because the minister had told the member for Hamilton East and myself that these amendments were coming, and I actually got the binder yesterday morning. When I look at this wording, I wonder if the minister could tell me where a police officer or a firefighter or someone who works in corrections would be in a position to refuse work. If we look at the sections where the danger is inherent in the worker's work—which I do not think is very good wording, but anyway, let that go—or the danger is a normal condition of the worker's employment, or where the worker's refusal would directly endanger the life, health and safety of another person, I understand all that. But with those three clauses, I am just wondering if the member could give us an example where any of those employees would in fact be in a position to refuse any dangerous work.

Hon Mr Phillips: I thought we were dealing with the member for Hamilton East's motion. I do not mind debating that, but the member for Hamilton East's motion is to strike out any differentiation between the public sector workers and other workers. My expectation is that we will be dealing with our motion after we have dealt with the member for Hamilton East's motion. I just wonder procedurally, Mr Chairman, if you would prefer that the member's question be dealt with after we have dealt with the member for Hamilton East's motion.

The Chair: Why you do this to me at a quarter to 6 I will never know. It does not matter. I am open.

Hon Mr Phillips: I think we are dealing with two different subjects. The member for Hamilton East is dealing with the issue of should we differentiate between any employees in this province. Their motion suggests no. If we get off on to the substance of the government motion, we may not have the debate around the member for Hamilton East's motion that is on the floor right now. That is all. As I said, I do not mind the debate at all, but I just think procedurally, Mr Chairman, you may want to deal with the member for Hamilton East's motion.

The Chair: I think we had better deal first with the member for Hamilton East's motion, as was agreed to. Then, once we have disposed of that, we will get back to yours. It is only normal.

Hon Mr Phillips: I appreciate the motion. I guess the reason why we will be recommending that we not approve this is that I, too, have confidence in the workers who are in those fields. As the members have said, they would not be there unless they had the trust and confidence of the community. Indeed, that is often the cornerstone of their careers.

However, I think we are dealing with, for the public, also quite an important issue of their wanting to be assured of a comfort level. What we have put into the bill is that comfort level. I think if we were simply to move to this motion, the public's concerns would be substantial. I recognize that in the motion it is designed to articulate what I think the workers themselves would recognize as their responsibility, but it is

designed to spell out for the community and the public, I think, the necessary comfort level. That is why, as I say, we would not be supporting the member for Hamilton East's motion.

The Chair: Is it the pleasure of the committee that Mr Mackenzie's motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

1750

Mr Mackenzie: Mr Chairman, I think we have a bit of a minor problem here. We have dispensed with our motion in terms of the exclusion of the public sector workers, but if I am not misreading the government motion which we will be dealing with shortly, it is really in three parts: the public sector right to refuse, the work activity and, on the second page of the government's motion halfway down on the left-hand side, "Subsections 23(11) and (12) of the said act are repealed and the following substituted therefor: Duty to advise other workers." That is the basis of our amendment 10, 24(3a), so it seems to me that in effect their motion has covered really three key areas in this bill.

One, we would like to separate out the motion that we have moved, we think it is a crucial area of the bill; and two, we would like to have an opportunity to spend a few more minutes on the work activity section.

I am in the minister's hands and the Chairman's hands as to how we deal with this. We could go ahead with our amendment 10, which is part of the government's, and it gets down just to the work activity area. But I would like to ask that we set aside—I do not know whether we can just do the work activity area or whether we have to do that whole government section on this—maybe until we start on Monday or when we are next into it.

Hon Mr Phillips: I think we are trying to be helpful here. I agree with the member that we are dealing with three substantive issues here, as he has properly identified. So if you can help us procedurally, Mr Chairman, I have no difficulty in separating the three so that the members opposite can deal with them. Then they may choose to deal with them individually, and I do not have a problem with that either. If you can separate the three issues procedurally, Mr Chairman, I have no difficulty with that.

The Chair: I am agreeable. Whatever the members are comfortable with. I can see it both ways. We can now deal with the 24 that the government had that we were discussing before and proceed with 24(3a) afterwards. Are you comfortable with that, or would you prefer to proceed with 24(3a) before?

Mr Mackenzie: Subsection 24(3a) comes halfway through the government's. We would like to come back with a short amendment on the work activity, so that may be until—

Hon Mr Phillips: And you would like to do that on Monday?

Mr Mackenzie: Yes.

Hon Mr Phillips: I guess we are going to attempt to set aside the work activity part, deal with the public sector part now, and the advising the substitute worker the member opposite wants to deal with now as well?

Mr Mackenzie: If we can, that would be—

Hon Mr Phillips: I have no difficulty with that if we can, as I say, set aside the work activity part.

The Chair: So you will be splitting your own section 24 into different sections?

Hon Mr Phillips: Yes. I just have to make sure I understand where it is—

The Chair: If anybody else can understand it, I will gladly try to understand it myself.

Mr Mackenzie moves that section 24 of the bill be amended by adding the following subsection:

“(3a) Subsection 23(11) of the said act is repealed and the following substituted therefor:

“(11) Pending the investigation and decision of the inspector, no worker shall be assigned to use or operate the equipment, machine, device or thing to engage in the activity or to work in the workplace or the part thereof which is being investigated.”

Mr Mackenzie: If I am understanding properly the government action and the government amendment, what it is saying in effect is that as long as somebody has notified the worker of the refusal, they can have a replacement there. It is our feeling that this should not be allowed just on that basis, because some workers are going to be influenced a little more easily than others and some foremen will operate differently from others. We think nobody should be allowed to replace them until the condition has been corrected.

Hon Mr Phillips: That obviously goes beyond our intent. We did listen carefully to the committee in its hearings across the province and we have moved the amendment that would ensure that where a worker has refused to do something when he has grounds to believe he is in danger and where the employer asks someone to step in, we have added the section to ensure that the worker who has been asked to do that work is informed of the reasons for the refusal in the presence of people we have outlined here.

I think the proposed amendment would go one step beyond, and that is to prohibit an individual stepping in at all. I think that would certainly go beyond what we had intended. We have already, as I say, strengthened it. We think we have provided a balance of protection for the workers. We have made a significant move forward in our proposed amendments, and this would be a step beyond what we could support.

Mr Wildman: It is quite simple. We are saying that workers should not be asked to work in conditions it is felt might be unsafe. If the investigation is ongoing, it has not been determined at that point whether or not the condition is hazardous.

I really do not understand how the ministry and the government can introduce the amendment that they are considering after having the evidence before the standing committee on

resources development regarding the Gerber case. We had evidence right before the committee of a situation where an individual had exercised his right to refuse, was then reassigned to work elsewhere in the plant, and another worker brought in to do the job that the first worker had refused to do was in fact killed.

Mr Mackenzie: Hours later.

Mr Wildman: Within hours.

If anything argues against the government's position, I think that situation does. If anything supports our position, it is certainly that situation. Unfortunately, we may have situations where there is an individual who exercises his or her right to refuse and then some other younger, less experienced worker, perhaps a probationary worker, is asked by the supervisor to carry out this task and is advised, according to the minister's amendment, "Another worker has refused to this for these reasons, but we'd like you to do it if you want."

If the worker is probationary, it is very difficult for him or her to say, "Well, no, I'm not going to do this," particularly if the person is trying to make a good impression and do a good job in order to become a permanent employee.

Also, we have the situation unfortunately in some workplaces where there might be a younger worker who perhaps is a macho type and figures: "Well, that other person may have refused it and he may think it's dangerous, but I don't really think it's dangerous. I can do this job despite what the other worker has said."

Some people might say if an individual takes that position and then subsequently has an injury, it is his own fault, and who are we to say that we should tell this person that despite his own irresponsibility we are going to protect him?

Frankly, I think that is what this legislation is about. We are trying to protect workers. We are not simply attempting to give workers information. We want to give workers information, we think the workers have the right to information, and information in itself is a protection. But if there is anything further we can do to protect, that is what we should be doing.

Our amendment is clear. If a situation is thought to be unsafe, if an investigation is being carried out and has not been resolved—it has not been determined whether or not the situation is safe—then nobody should be working there. If doubt about safety has been raised, work should not continue until it has been determined that it is indeed safe or, if there is a hazard, that this hazard will be rectified and no work shall take place until it is rectified.

I notice the time is fleeting, Mr Chairman. If you would like me to move adjournment of the debate, I would be happy to do that.

On motion by Mr Wildman, the committee of the whole House reported progress.

The House adjourned at 1802.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

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Vice-chair: Carman McClelland

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Clerk: Douglas Arnott

Estimates

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Members: Brian A. Charlton, John C. Cleary, David R. Cooke, James D. Henderson, Gino Matrundola, Frank Miclash, Ed Philip, Marietta L. D. Roberts, E. Joan Smith and Noble Villeneuve

Clerk: Harold Brown

Finance and economic affairs

Chair: Steven W. Mahoney

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CONTENTS

Thursday 7 June 1990

Private members' public business

Waste disposal	1601
Mr Morin-Strom	1601
Mrs Marland	1602
Mr Adams	1603
Mr Wildman	1604
Mr Pollock	1605
Mr Brown	1605
Miss Martel	1606
Negatived	1614
Crime prevention	1607
Mr Daigeler	1607
Mr Kormos	1608
Mr D. W. Smith	1609
Mr Wildman	1610
Mr Kanter	1611
Mrs Marland	1613
Agreed to	1614

Members' statements

Privatization of laboratory testing	1615
Mr Kormos	
National Unity Day	1615
Mr McCague	
Air quality	1615
Mr Tatham	
Good Neighbour Awards	1615
Mr Farnan	
National Access Awareness Week	1615
Mrs Marland	
Heritage concert	1616
Mr Dietsch	
Taxation	1616
Mr Hampton	
Ministry of Natural Resources staff day	1616
Mr Jackson	
Town of Dryden	1616
Mr Miclash	
Portuguese National Day	1617
Mr Wong	
Mr Farnan	
Mrs Marland	

Statements by the ministry

National Access Awareness Week	1618
Ms Collins	
Ontario Special Olympics	1618
Mr Offer	
Occupational health and safety	1618
Mr Phillips	

Responses

Occupational health and safety	1619
Mr Mackenzie	

National Access Awareness Week	1619
Mr Allen	
Ontario Special Olympics	1619
Mr Kormos	
Mr Runciman	
Occupational health and safety	1620
Mrs Marland	
National Access Awareness Week	1620
Mrs Marland	
Mr Jackson	

Oral questions

Patricia Starr	1620
Mr Reville	
Mr R. F. Nixon	
Forest management	1621
Mr Wildman	
Mrs McLeod	
Patricia Starr	1622
Mr Runciman	
Mr R. F. Nixon	
Children's mental health services	1622
Mr Jackson	
Mr Conway	
Mr Allen	
Mr Beer	
Farm tax rebate	1624
Mr Villeneuve	
Mr Ramsay	
Affordable housing	1624
Ms Oddie Munro	
Mr Sweeney	
Employment standards	1625
Mr Mackenzie	
Mr Phillips	
Education funding	1625
Mr Cousens	
Mr Conway	
Mr Callahan	
Northern health services	1626
Mr Hampton	
Mrs Caplan	
Secondary school curriculum	1627
Mr Sterling	
Mr Conway	
Charitable gaming	1627
Mr Mahoney	
Mr Sorbara	
Social assistance	1628
Mr Allen	
Mr Beer	

Motions

Standing committee on public accounts	1628
Mr Ward	
Agreed to	1628

Publication requirement	1628
Mr Ward	
Agreed to	1628
Select committee on education	1628
Mr Ward	
Agreed to	1628

Petitions

Recycling	1629
Mr Faubert	
Landlords' restrictions on pets	1629
Ms Bryden	
Diabetes treatment in northern Ontario	1629
Mr Kozyra	
Senior citizens' dental health	1629
Ms Poole	

First readings

Town of Niagara-on-the-Lake Act, 1990, Bill Pr88 . . .	1629
Mr Dietsch	
Agreed to	1629

Committee of the whole House

Occupational Health and Safety Statute Law Amendment Act, 1990, Bill 208	1630
Mr Ward	1630
Mr Phillips	1630
Mr Mackenzie	1631
Miss Martel	1631
Mr Pouliot	1631
Mrs Marland	1634
Mr Wildman	1634
Progress reported	1645

Other business

Business of the House	1629
Mr Ward	
Adjournment	1645

Lists of members

Members and their responsibilities	1646
Committees of the Legislative Assembly	1649

TABLE DES MATIÈRES

Le jeudi 7 juin 1990

Réponse

Semaine nationale por l'intégration des personnes handicapées	1619
M. Allen	



Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Monday 11 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le lundi 11 juin 1990

Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 11 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

EDUCATION OF HEARING-IMPAIRED

Mr R. F. Johnston: The deaf in Ontario have been waiting for some time for an indication from this government about whether or not it is going to act and bring forward Bill 112, which I introduced as a private member's initiative to make American sign language the language of instruction in school systems.

To this end, they decided they would make some protest at a recent event this week around access awareness week and got some strange phone calls from senior bureaucrats advising them not to do so, that this fact might impinge on a government announcement coming through this Wednesday by the Minister of Education. I wonder if that is in fact the role we should be putting our senior bureaucrats to, to be telling groups that have been advocating for some time for major changes that they should not exercise their democratic rights because they would not want this to upstage a minister who may be coming forward.

Today I get a confirmation in writing, as of 8 June, from David McKee, the director of special ed, that in fact the minister will be making a statement on 13 June. It seems to me that it is his right to do so; it is also the right of the government to inform these people that this is going to happen. But to say to them that they should no longer put on pressure is an inappropriate action.

I say this in conjunction with the fact that now one of the major proponents for education for the hearing-impaired has proposed some amendments to my piece of legislation which I think all of us could readily accept in the principle of our discussion that we had that day, which I am willing to present to this House or to give to the government to provide to this House if it wants this legislation to come forward. But to interfere with the democratic process in this seems to be inappropriate.

CYCLING SAFETY

Mr Cousens: This is Bike-to-Work Week in the city of Toronto. I would like to congratulate the Toronto City Cycling Committee for all the work it is doing to promote cycling as an alternative form of transportation in the city. Cycling reduces air pollution and helps relieve the congestion on city streets because of gridlock.

It is encouraging to see the enthusiasm of Toronto cyclists; they want to do their part in keeping our environment clean. I was saddened, however, to hear of a serious cycling accident this morning. If we are going to promote this kind of alternative transportation on our streets, we must make it safe for cyclists, drivers and pedestrians.

The provincial government has an important role to play. In its driver education courses it should include training on sharing the road with cyclists, with other drivers and with public transit vehicles. Likewise, cyclists who use their bikes for commercial

purposes or to commute to work should undergo training and be licensed.

Bike paths on busy city streets should be a key component of road improvements funded by the province. The House has before it a private member's bill from the member for London North that was passed by this House to make helmets mandatory for cyclists. The Liberals should pass this bill immediately.

The province must work in tandem with municipalities to encourage cycling. This is the only way to ensure the roads are safe for cyclists, pedestrians and drivers.

ROAD SIGNAGE

Mr Reycraft: I want to take this opportunity to publicly congratulate Reeve John Groenewegen and the members of township council in Caradoc in my riding of Middlesex. I believe councillors there have made an extremely wise decision in moving to replace all yield signs in the township with stop signs.

Yield signs do very little to enhance the safety of our rural roads. In fact, they can do a great deal to undermine it because yield signs create a false sense of security. At times, drivers may think a yield sign to be unnecessary and they ignore it, or they may move so far into the intersection without stopping that they create a very real hazard while trying to see if there is traffic coming. At the same time, drivers on the crossroad proceed, assuming they have the right of way and also assuming traffic coming in the other direction is required to stop. The result can be deadly.

But with a stop sign, there is a definite advantage. One slows down and actually stops, looks both ways and then proceeds. It sounds simple. It is simple. It is also effective and safe.

For Caradoc township, the cost of replacing its yield signs with stop signs is minimal compared to the safety that is being added. We cannot legislate common sense, but we can certainly promote it.

From the very age our children begin to walk, we tell them to stop and look both ways before crossing the street. It is a principle we should not abandon as drivers.

I ask all members of the assembly to join me in congratulating Caradoc township for sending its yield signs the way of the horse and buggy.

WATER QUALITY

Mr Farnan: Clean, safe water is vital to human existence and Ontario's future. However, this Liberal government has not provided any significant leadership in protecting and maintaining the quality of our drinking water.

It is common knowledge that the province has been in a state of rapid growth for some time, but it seems that when it comes to water, the Premier has abandoned ship as well as his responsibility to the residents of Ontario.

The water and sewer infrastructure of this province need immediate attention if we are to maintain any reasonable level of water quality.

For the record, Waterloo region, of which my riding is a part, is the largest community in Canada that depends on ground water to provide its safe drinking water. The regional

government has recently been in the spotlight for the manner in which it has been dealing with our water crisis, but I have to say that our local representatives have taken far more decisive steps in dealing with the issues of contamination, resource development and planning for the future than this government.

At a recent public meeting on water, one thing was abundantly clear: There needs to be long-term planning of water supply and infrastructure maintenance and development for all of southwestern Ontario. When will the Premier stop talking about projections and studies and start providing some planning guidelines and directions to the municipalities of this province?

NIPISSING AREA TEACHERS

Mr Jackson: I rise today on behalf of my caucus and my leader, the member for Nipissing. The Department of National Defence has announced the transfer of its school responsibilities at CFB North Bay effective 30 June 1990. Currently, there is an impasse involving the Ontario Teachers Federation, the Department of National Defence, the Nipissing Board of Education and the Nipissing District Roman Catholic Separate School Board over the transfer and the security of the Department of National Defence teachers in Nipissing.

When responsibility for the schools at CFB Ottawa and CFB Kingston was transferred to the coterminous boards last year, the Minister of Education and the Ministry of Education were actively involved in assisting the Department of National Defence boards and the school boards involved in arriving at an agreeable disposition of students and staff.

Only one year later, the ministry is strangely absent from the North Bay negotiations and discussions. We urge the Minister of Education to reconsider his decision to withdraw and hide from the Nipissing situation and to immediately address the concerns by bringing all parties together to resolve this matter under the Ministry of Education's direction.

1340

EMPLOYMENT STANDARDS

Mr Keyes: I am happy to report that the story which unfolded in the media and in this House last week concerning the dismissal of an employee at the Holiday Inn in Kingston had a happy ending. The members will recall that Che Zong, a student employed by Holiday Inn as part of the immigration assistance program for the summer, had requested a day off from work to attend a memorial demonstration of the Tiananmen Square massacre, of which she herself was a survivor. Having her request denied on the basis of her lack of seniority, she took time off to attend and, upon her return to work, was informed she was no longer employed by Holiday Inn.

I am pleased to say that, after a meeting of Holiday Inn executives on Friday 8 June, Che Zong accepted an offer to return to work on condition that Mr Weary, who had resigned as a result of the public outcry, would also be reinstated. In response, Mr Weary withdrew his resignation, which withdrawal was accepted by the company. We should all remember the fitting end to this event.

PROTECTION FOR WORKERS AND TENANTS

Mr D. S. Cooke: Last Thursday afternoon, while the first ministers of the nation were discussing the constitutional future of Canada, people in my home community were rallying in protest at the lack of action by this government to protect their jobs.

Over 2,000 people got together to protest plant closures and the fact that the Liberal government has still not lived up to its commitments and promises to bring in a thorough package of plant closure legislation which would guarantee public justification for plant closures, universal severance pay and adequate notice so that workers in our community and across Ontario would be properly protected.

Also, on that same day, in the evening there was another demonstration in Windsor, where nearly 500 tenants showed up to demonstrate and protest against the lack of protection for ordinary people in the private sector in apartment buildings in Ontario and the fact that landlords are given everything under the rent review legislation and that tenants are not protected with any adequate and thorough protection by the Liberal rent review legislation.

Very clearly, the message coming out of the Windsor community last Thursday was that they were asking themselves whose side the Liberal Party was on. They have discovered very clearly that they are on the side of developers, landlords and large corporations and that workers, if they want protection for their jobs, cannot rely on the Liberals, and that tenants, if they want protection to keep their rents affordable, cannot look to the Liberals for support either.

JUMP ROPE FOR HEART

Mr Sterling: Today I would like to draw my fellow members' attention to Stittsville Public School, an elementary school in the riding of Carleton, which participated in the Jump Rope for Heart fund-raising event for the Heart and Stroke Foundation. I am sure all members of the Ontario Legislature will join me in congratulating Stittsville Public School on its great success.

Stittsville Public School students from grades 3, 4 and 5 raised \$19,364.66 through the pledges they collected by jumping rope. It is the largest amount of money raised by an individual school this year to date. Over the last five years, Stittsville Public School has raised \$57,000 for the project. This school is number 1 in Canada.

Jump Rope for Heart is a national program that has been in effect for almost 10 years. There are 1,200 schools in Ontario which participate, and last year they raised \$3.2 million, over half of the nation's total.

I would like to thank all the students who participated in Jump Rope for Heart, with a special mention to faculty member Gerald Hancock, who organized the event on behalf of the school. This ingenious event has proved that learning can be fun, healthy and educational. It is my hope that this type of participation will increase awareness of living healthier and happier lives. My congratulations to Stittsville Public School.

DENTAL HYGIENIST PROGRAM

Mr Campbell: Early this year Cambrian College announced it was suspending its English-language dental hygiene program for one year. As the member for Sudbury, I, along with many in our community, was concerned about the negative impact the cancellation of this program would have on northern Ontario. We met several times to discuss ways of resolving this critical situation.

Thus it was with great pleasure that I was able to announce last week, on behalf of the Minister of Northern Development, a \$150,000 provincial grant to Cambrian for the purchase of eight dental chairs and equipment. The commitment of this government will assist Cambrian to increase the number of places from 17 to 25 and will ensure the viability of the program.

The college also plans to continue its French-language dental hygiene program. In addition, the Sudbury and District Dental Society has made a commitment to donate funds to cover the costs of supervising the clinical sessions.

This announcement is the culmination of many months of negotiations by Cambrian College, the dental society, the ministries of Colleges and Universities, Northern Development and Mines. I wish to commend all participants for their co-operative effort.

SUZANNE SCHWENGER

Mr R. F. Johnston: Mr Speaker, seeing that we have a number of historic statements coming today, there is another moment of history that has taken place. Suzanne Schwenger, who is a parliamentary intern to the member for Kingston and The Islands and myself, is the first intern in our history to have a child while serving as an intern. On Sunday morning, Charlotte was born, eight pounds, four ounces—a whole new standard for productivity among interns.

The Speaker: Thank you for that point of information.

VISITOR

The Speaker: I would like to inform members that we have a special guest in the Speaker's gallery, a neighbour from the state of Michigan, the Governor of that state, Governor James Blanchard. Please join me in welcoming him.

Hon Mr Peterson: May I join in welcoming Governor Blanchard and Mrs Blanchard to the Legislature today. Many of us know of the very strong relationship between Ontario and Michigan. Indeed, it is larger than the relationships between most countries in this world. We are very proud to have him sitting with us today.

Hon Mr Ward: Mr Speaker, I would like to seek unanimous consent so that we may have statements from all three parties with regard to the constitutional accord.

The Speaker: Is there unanimous consent?

Agreed to.

CONSTITUTIONAL ACCORD ACCORD CONSTITUTIONNEL

Hon Mr Peterson: It gives me great pleasure to provide the members of this Legislature with details of an agreement signed by Canada's first ministers on Saturday 9 June 1990. All 11 first ministers signed an agreement which will permit the ratification of the Meech Lake accord along with a companion resolution containing improvements to the original accord.

There are three parts to the agreement signed by the first ministers. In the first part, the premiers of New Brunswick, Manitoba and Newfoundland and Labrador undertake to submit the constitutional amendment 1987 for appropriate legislative or public consideration and to use every possible effort to achieve a decision prior to 23 June 1990. The second part of the agreement sets out a companion resolution containing additions that will build on the accord.

The add-ons and the companion resolution reflect many of the concerns which were noted during the select committee hearings in the province of Ontario. There was extensive discussion of the concerns that had been raised regarding the impact of the "distinct society" clause on the Charter of Rights. The Prime Minister commissioned a legal opinion from a number of Canada's most distinguished constitutional authorities

confirming that the "distinct society" clause does not infringe on or deny the Charter of Rights. It was agreed that the legal opinion be attached to the final conference communiqué.

1350

In addition, a number of changes were agreed to.

It was agreed that sexual equality rights should be protected by adding section 28 of the Charter of Rights and Freedoms to section 16 of the accord.

The accord will also be amended to permit the territories to submit lists of names for appointment to the Senate and the Supreme Court of Canada.

A permanent process for discussion of aboriginal constitutional issues will be entrenched in the Constitution to resolve the outstanding issue of aboriginal self-government.

Finally, minority language rights will be added to the agenda of future constitutional conferences.

The third part of the agreement sets out an agenda for a second round of constitutional discussions. This future agenda is a direct response to the concerns that have emerged during the public hearings regarding the Meech Lake accord which have occurred over the past three years. All governments have agreed to draft a clause providing a more complete recognition of the Canadian reality—the so-called Canada clause—such as our multicultural heritage, the role of aboriginal peoples and our commitment to the equality of all Canadians.

There has been an agreement on the process leading to Senate reform and on the principles that will guide that process. A national commission with equal representation from all provinces and the federal government will be established immediately to report on Senate reform to the first ministers' conference to be held later this year.

It has been agreed that the objectives which should guide the commission are (1) that the Senate should be elected, (2) that it should provide more equitable representation of the less populous provinces and territories and (3) that it should have effective powers to ensure that the interests of the residents of the less populous provinces and territories figure more prominently in national decision-making.

It has also been agreed that the goal of Senate reform should be to strengthen the capacity of the national government to govern on behalf of all citizens.

Further, the agreement provides that the principle of the responsibility of the government to the House of Commons shall be preserved.

We expect to achieve meaningful Senate reform over the next five years. In the event that reform has not been achieved over that time frame, the governments of Ontario, New Brunswick and Nova Scotia have agreed that, in the interest of fairness, there will be a redistribution of Senate seats in favour of the western provinces and Newfoundland.

Finally, all governments agreed that reforming the process of constitutional change is a very high priority. We must ensure in the future that there is full partnership with the public in pursuing constitutional change.

Today I am pleased to table the agreement including the motion for constitutional resolution containing the improvements to Meech Lake which I have outlined. Later today the Legislature will be asked to refer this package to the select committee on constitutional and intergovernmental affairs to begin immediate public hearings.

The agreement that I have just outlined represents a major step forward in building a stronger, more united Canada. The goal is, I believe, supported by most Ontarians, and all On-

tarians will benefit by its achievement. Ontarians want a strong Ontario in a strong and united Canada.

The passage of the Meech Lake accord will secure the signature of the province of Quebec on Canada's Constitution. The absence of that signature has served as a missing link in the evolution of our process of nation-building. Quebec can now be a full partner at the constitutional table and share in the process of shaping a stronger Canada.

The time has also come to build national institutions that reflect the aspirations of all Canadians. The agreement reached this weekend will also provide us with a constructive framework for addressing a number of other issues of national concern, such as sexual equality, minority language rights and aboriginal self-government.

All members of this House can take great pride in the agreement that was achieved over the weekend. Ontario has been a vocal and enthusiastic supporter of the passage of the Meech Lake accord, a goal which we have pursued together with a united, non-partisan voice. In this regard, I would like to thank the leader of the official opposition and the leader of the Conservative Party for attending the conference and offering their advice.

I also want to thank the members of the Ontario delegation, led by our esteemed Attorney General. We went to Ottawa with a very strong team of public servants, ministerial and Premier's staff and external advisers, including Robert Prichard, the dean of the University of Toronto law school and president-designate of the University of Toronto; Jim MacPherson, dean of the Osgoode Hall law school; Professor Peter Hogg of Osgoode Hall law school, one of Canada's leading constitutional experts; Professor Kathy Swinton of the University of Toronto law school; Professors Ron Watts and Richard Simeon of Queen's University; Professor Jamie Cameron of Osgoode Hall law school, and Professor Peter Russel of the University of Toronto.

If I may add, personally, I am also very grateful for the strong support that the people of Ontario have shown over the last week. At the same time as we celebrate our achievement, we must also remember that we confront a number of practical realities. The first is the fact that we must devise a better process for constitutional reform. In the past few years, we have been dealing with a process that was imposed upon us by the 1982 Constitution. We have learned a great deal from this process, and we are committed to developing a more open, participatory process for the future. We must create a process that allows for much broader and more involved public consultation and sharing.

There is a second area of concern that we must address as well. Over the past couple of years we have learned a number of things about ourselves as Canadians, not all of them terribly flattering. We have discovered that we have an enormous potential for self-injury; sometimes we as Canadians only see the dark side of the moon. We must not allow this self-discovery to lead to self-destruction. I hope this is the beginning of a process of national healing.

A constitution cannot in and of itself promote healing. Constitutions can only provide a framework for understanding and accommodation; people must fill in the goodwill. The Meech Lake accord is not a magic instrument. Colons, commas and subjunctive clauses cannot eliminate intolerance, prejudice and mistrust; only Canadians can do that. Only Canadians can recreate a spirit of understanding and respect for diversity and trust among all people. We must now focus our energies on achieving that end. We must reach out and build new relationships and new bridges of understanding among all Canadians.

Canada will only be as strong as the ties that bind its people together; and I know that all my colleagues in this House will act in the way to strengthen those bonds.

M. B. Rae : Ceci est un événement important dans la vie du pays, du Canada. C'est avec plaisir que je participe à cette discussion et que nous allons participer, comme parti, aux discussions qui viendront dans les jours à venir et, naturellement, dans les semaines et les mois à venir.

We are in the middle of an extraordinary debate and discussion in our country. I do not think any of us realized, when the Premier first came back from the discussions that he had at Meech Lake, that this accord would arouse the kind of debate and discussion among the people of Canada that it has aroused, and I must say I include myself in that group. Subject to the criticism and friendly, constructive advice from some of my colleagues, always I felt that it was so important for us as Canadians to say yes to Quebec, that it was important for us to simply get on, frankly, with as much speed as possible, with what had appeared to be an agreement that had wide consensus in the country and that we should simply proceed.

I must say the events over the last three years have opened my eyes to the sense of frustration that is felt by many Canadians in the fact that the Constitution, which after all took 115 years to become a truly Canadian document, took 115 years to patriate and make it our own. There is now, I believe, a profound sense among Canadians that the Constitution belongs to them. It does not belong to the premiers. It does not belong to the Prime Minister. It belongs to all the people of Canada. I think that is what has made this last week an event of such bittersweet proportions, because I believe that most of us in the country—even those who are very profoundly opposed to the accord for whatever reason—I think all Canadians who saw the events unfold and the roller-coaster every night on television, and then saw the speeches and the signing on Saturday evening felt a sense of relief, relief because we share a patriotism across this country which is very profound and which as Canadians, because we are not the kind of people who often show our emotion on our sleeves, we sometimes take for granted. Yet we have seen over the last few weeks particularly that Canada is not something we can take for granted. It is something we must strive to make our own and rebuild and refashion every day.

1400

I say bittersweet because, although there was a sense of relief, I believe—and I had cause to say this during the week when perhaps the advice which was offered was not always welcome—that there was a growing frustration among Canadians about the process, a sense that they were being kept out, a sense that decisions were being made about their future in which they had not been consulted, in which there was no real participation by them and indeed no way in which they could effectively participate.

So I think that at the end of the day none of us who was not in that room knew at any given moment exactly what would be in the document. I do not say this to be critical of the Attorney General, because he was very frank in his briefings of me on two occasions when he set out what he thought were the elements that were going to be involved. I can say to him that at the end of the day there were slight variations and differences in what appeared to be the final package from what even appeared to be the case as of Friday evening.

I say this because I think it was clear, from the process of information gathering one had to engage in if you were not at the table, that it was almost impossible to find out exactly what

was being discussed, how it was being discussed and what was being conceded in order to gain the goal of the approval of the accord with the willing acceptance of all the premiers there.

Having said that one was not in the room, we do know that the Premier of the province—because I heard him describe it this morning on television—did make a very substantial concession with respect to the Senate which appeared to, and by all accounts did, have an effect on keeping Mr Wells in the room at a critical moment when he seemed to be ready to leave it and at least got us to the stage of having a tentative signing, if I can put it this way, to the agreement by Premier Wells.

It literally is impossible for anyone who was not in that room to make a judgement as to whether that concession was necessary or whether it was the right or wrong thing to do. I can tell you I was not at any of the discussions which took place in the Ontario delegation which led to that decision. My advice was not sought, nor I think was the advice of the leader of the Conservative Party. I do not say that with any sense of surprise. I only say it to note that it was a personal decision, as I see it, made by the Premier in response to what he saw as a negotiating need in order to get an agreement.

Surely that shows all of us what is wrong with this entire process. We can all make jokes about the Senate with respect to who is likely not to be appointed in four or five years if we are down to 18 as opposed to 24. I suppose there will be a number of fund-raisers for the old-line parties who will feel disappointed that their chances of getting into the Senate have now been reduced by 25%. But there is an issue that is more important than this. Let's follow this one through, Mr Speaker. I want to just take you through this line of argument.

We are being presented this afternoon with a resolution which incorporates essentially the concession made by the Premier in a very short space of time on a Friday afternoon. We are also told that the commission will be set up and that for the next five years that commission will be discussing Senate reform and will propose Senate reform along the lines set out in the agreement with respect to its being elected, equitable and effective.

Whatever proposals come from that national commission will have to be approved by all the provinces, with each one of the provinces having a veto. We also know that under the terms of the Meech Lake accord, in future—as of 24 June, if the Meech Lake accord is passed—in the existing Senate as it is now constituted it is the provinces that will provide the names which will form the Senate. We know that Alberta, as recently as a while ago, held an election for Mr Waters, who was elected to the Senate and is still waiting to be named there by the Prime Minister of Canada. I would suggest that it is going to be very difficult for the province of Alberta or indeed some other provinces to name a senator on a basis that is other than an elected basis.

What you have is the possibility, first of all, of it being very difficult to get an agreement among all the provinces with respect to the Senate that is being discussed by the national commission. We then have an evolution of our existing Senate, based on lists that are provided by various provinces, with at least some of those provinces deciding that, in order to make the membership of the Senate more legitimate in their jurisdictions, those senators will all be elected.

Those who say that the Premier's concession is of no real significance because it is only talking about what may or may not happen in five years in a patronage-ridden body have missed the point of changing opinion in Canada with respect to the existence and the legitimacy of the Senate. It is quite pos-

sible that by 1995 we will have an elected Senate whose powers will be those powers set out in the Constitution as of today, because you cannot change them without unanimous consent of all the provinces, and a Senate in which the principle of equality between the regions has already been conceded by the Premier of the province and the makeup of the Senate has been determined in a very short space of time, in a very short concessionary way by the Premier.

We are in this party, and indeed I think the members of all parties, now being asked to pass in as short a space of time as possible—and indeed in my conversations with the Premier he indicated that he would like to see this passed, although I notice he did not say it in his statement, but he did indicate to me that he would like to see this resolution passed before 23 June. I want to say to the members of this House, I understand the implications full well of our slowing down the process in terms of what is also going on in Manitoba and Newfoundland. I hope the members of this House know me and our party well enough to know that we are not going to play games with this process and we understand the implications of what we are being asked to do.

But I want to say to all the members of the House, this is not the way to make the Constitution of this country. Members should not go out for four days or five days of public hearings on the basis of an agreement which is already set in stone and pretend that they are consulting with the people. Maybe it is a way of having a dialogue, maybe it is a way and a necessary way of showing that the government is at least willing to listen, but members should not pretend that this is a process of genuine consultation.

1410

We have heard from the Premier before and we have heard from other governments before that they regard this as an inadequate process and that they will not make us go through it again. But we are being asked in the space of nine or 10 days to pass a resolution that has implications for the balance between the regions of this country, and we are being asked to do so because of a necessary concession, or a concession that was felt to be necessary by the Premier at that time in a closed, private bargaining session that took place on the evening of a Friday in the sixth day of a long, gruelling, private bargaining session.

Let us not pretend that this is the way a 125-year-old mature democracy should be changing its fundamental law, its foundation law, its framework law with respect to its Constitution. I am not saying for a moment that this party is going to start throwing roadblocks in the way. But I want to make it very clear that this process is not going to work to bring the people of Canada together, a process by which we are told that things have to be done in four days or seven days or nine days, a process in which we are told that this is what has to be done because one or three or five or seven or 11 people say, "This is the way it must be."

This cannot be the way to build Canada. It may have effected some kind of reconciliation among 10 or 11 premiers. Do not confuse that for a moment with the kind of work and process that is necessary to reconcile all Canadians to building a Constitution.

We face now, I believe, a crisis of legitimacy with respect to constitutional reform. I put it that strongly because I believe it to be true. We cannot kid ourselves that by having hearings for four or five days we are truly involving the people of this country in reforming their Constitution. So while I regard the Meech Lake accord and the companion resolutions, for the

most part, as areas that have been discussed and have been discussed broadly by the members of this House, I say to the Premier that with respect to the Senate there have been no such discussions. None. There has been no such debate. None. Let us not pretend that there has been and let us not pretend that the people of this province have indeed reached certain conclusions with respect to the implications of Senate reform.

I want to conclude by saying that I think the people of this country deserve a better process. I think the people of Canada deserve a process that will allow change at the same time as it respects the rights of people to participate and the rights of people to listen and to be heard, and which respects openness.

It was Woodrow Wilson who towards the end of the First World War, issued a famous declaration with respect to what post-First-World-War Europe should look like. One of the things he railed against was the world of secret diplomacy, whereby agreements were arrived at secretly that bound their governments when no one knew how they had been reached or how they had been arrived at. He referred to the importance of having open treaties, openly arrived at.

That was an important statement of the way in which countries should treat one another with respect to their treaties. I say we should ask nothing less of our governments in this country, that we have open agreements, openly arrived at, that the people of Canada can legitimately call their own.

Mr Harris: I want to start by going back a long way to when Sir John A. Macdonald, George-Étienne Cartier, George Brown and others inspired Canada into existence. It required endless hard work, proselytizing, negotiation, concessions and above all working almost town to town to build trust and to build understanding. It was hard work. It was hard work then and it is hard work now. It has never been easy. It is not easy now and it is not going to be easy in the next 10 years.

I want to join today with the Premier and with the Leader of the Opposition in making a few comments on this most frantic and historic past seven days, seven days during which many felt, rightly or wrongly, that the fate of Canada came very close to the edge. I report to the House in all honesty that I shared some of those concerns: seven days during which the process was severely criticized, seven days during which our premiers debated, fought, cried, negotiated, tackled, shouted, but finally came out to report.

I would like to make some comments on those seven days. I would like to make some comments as a Canadian first, then I would like to make some comments as a parliamentarian and a democrat second and then I would like to make some comments as an Ontarian third.

As a Canadian, I am relieved. I hope in a few weeks I will be more relieved. The sense of relief I felt on Saturday in Ottawa has obviously been tempered somewhat by events, particularly in Newfoundland and Labrador and, perhaps to a lesser extent, in Manitoba. Certainly as a parliamentarian and a democrat I would agree with the leader of the New Democratic Party that I am sorely disappointed and frustrated by the process, and as an Ontarian I have some concerns.

Let me first, as a Canadian, say that I voted for the Meech Lake accord in this Legislature almost two years ago. Like every member of this Legislature, I thought long and hard about the Meech Lake accord and about how best to welcome Quebec back into the constitutional family with dignity, with a feeling of trust that would allow this country and its provinces to move forward constructively. How could we best do that while maintaining all that we all hold very dear as a nation? I made those reflections and made that determination and, uncomfortable

with the process as I was then and as I am now, I supported the accord.

I was proud to be one of our party's representatives on the select committee on constitutional reform. I was pleased to listen to the concerns of many Canadians, primarily from Ontario but some from across the country, who came before our committee some two and a half years ago to express their concerns about Meech Lake and about all that it implied. As a representative on that committee I co-authored, along with my House leader, the member for Parry Sound, a minority opinion on how to address some of those very legitimate concerns that we heard then, which of course became even more legitimate and more widespread as they were not addressed and as time went by over the past couple of years.

1420

We were told by all the first ministers two years ago that Meech Lake was a seamless web, that it could not be changed and that in fact we should not be talking in any meaningful way about the concerns we heard as a committee. I worked with my colleague the member for Parry Sound when that viewpoint was expressed to us. It was accepted by the majority of the committee and we drafted a minority opinion. We stated that "it is our belief that the Legislature should adopt specific companion resolutions which at least remove some of the legal concerns. Our companion resolutions call upon the government of Ontario to take specific action to achieve specific goals."

The minority report went on to state:

"We recognize the importance of Quebec returning to the constitutional fold. The accord will allow that province to finally become a signatory to the Canadian Constitution. It has provided a truly significant moment in our national history and one which we truly welcome.

"However, having addressed the constitutional concerns of Quebec, we believe it is now incumbent upon the government of Ontario and the first ministers to actively address the concerns of many members of our society which were so eloquently voiced before this committee. While a constitution will always be open to judicial interpretation, all the people of Ontario and Canada deserve to have a constitution in which they believe they are included as full and equal partners."

I wrote those words two years ago as part of the select committee on constitutional reform and I still hold true to those words. I believe in my heart that if the Premier and the other first ministers—I think the Premier and we in Ontario could have taken the lead role much sooner than at the 11th and a half hour. We could have taken it two years ago. Had we done that, we might have avoided some of the pressure-cooker, last-minute decisions that all the premiers and our Premier had to make. We might not have had nearly as difficult a seven days as we had.

Canada is so young in dealing with our Constitution here in this country. In 1981-82 our Constitution came home under a process that was begun by Pierre Trudeau. It was a process and a document that he believed strongly in, but he left it uncompleted, so Mr Mulroney and the first ministers from that time forward were left with this challenge of an uncompleted Constitution, a very imperfect process and a challenge as to what to do about it.

Everybody has been critical of the process after these past seven days. My own view is that some of that process was inevitable, because we were dealing with the first ministers and a deal that at least 10 of the first ministers had made and one had not, and that was not acceptable to Canadians, it was not

acceptable to Quebec and it was not acceptable to me. As young as we are in this country at reforming our Constitution, I find it a shame that we got started on this track, obviously totally the wrong direction.

I wish that before these past seven days the first ministers of the country and the first minister of Ontario would have got a sense from the people of this province, from those hearings we held, that it is unacceptable. They will not look kindly on first ministers who go through it again in that way. We did not begin striking the committee, as was unanimously agreed by all members of this House two years ago, that that committee should be struck right away, that that committee should begin discussing those concerns right away, should be opening dialogue with the other legislatures and with the House of Commons, putting forward these issues that ultimately became the issues that had to be decided in the seven-day pressure cooker.

There is much that could have been done in two years under a different process and under far less pressure. I think there would have been a greater understanding in the regions of this country—in English Canada or French Canada and in French Canada or English Canada—had we accepted those recommendations that my House leader and I put forward a couple of years ago. So we ended up in this pressure cooker, horse-trading our Constitution, which is surely on reflection absolutely the worst way for any country anywhere in the world to be dealing with items of significance and of such importance to all provinces and to this country. I object strenuously to that.

It was in that context that new suggestions, new ideas came forward. Surely distinct society stands on its own and should be debated and accepted on its own. Surely Senate reform stands on its own and should be debated and accepted on its own. In discussing each of the very important issues—minority rights, sex equality rights, the concerns of women, the concerns of natives, of multiculturalism—surely they all stand on their own. To end up in a process where 11 people horse-trade them all is what got us into the mess in the first place. I am not sure we are out of the mess.

I plead passionately that while we were not listened to two years ago, we accept at face value the words of all the first ministers on Saturday night that this process cannot, must not ever be repeated again and that we must quickly get into a more productive, direct process to deal with it more openly, more honestly and to reflect not just 11 persons' views. I say that figuratively. Of course it was more than that, but it was a long way from 26 million Canadians' views on our Constitution.

The first ministers spent seven days behind closed doors discussing some of the points we raised in our minority report, and as I said, as a Canadian I have that sense of relief that there were 11 signatures on Saturday night.

I also want to thank the Premier for inviting me to be part of the Ontario delegation. Having been in attendance at that historic signing ceremony on Saturday night, I hope and pray that two or two and a half weeks from now it will be as historic as I thought it was going to be at that time.

I have stated as a parliamentarian and as a democrat my great discomfort with the process. I believe the Constitution must be a document shared in and believed in by all Canadians. Saturday night, after the signing and the speeches, the Premier and I chatted briefly. We talked about the suggestion that we should have public hearings here in Ontario as soon as possible. I respect the view of the Leader of the Opposition that those hearings will not be the hearings that I had hoped for, that they will not be nearly as meaningful because the decision has been made.

There have been some decisions made by premiers—some put forward by our Premier—that will not have been discussed by the people of Ontario, by this Legislature or indeed by the cabinet, I would suggest, unless there is a lot greater cabinet secrecy than I have sensed in the 10 years that I have been here, and I doubt there is.

1430

Interjection.

Mr Harris: It is worse, as the Premier has said.

I am pleased that the Premier has adopted the suggestion. We will have those hearings and our caucus will do everything it can to facilitate a meaningful and timely process that, as a Canadian, I believe we must do.

I have spoken as a Canadian, I have spoken as a parliamentarian and finally I want to speak as an Ontarian. I have said, as a fierce Canadian who loves the country, I am somewhat relieved and hope I will be more relieved. As a democrat, I do not like the process and, as an Ontarian, I have some concerns.

I was not in the negotiating room and I do not know what deals were struck. I know most of the deals that were struck did not fly and only the ones that stuck, I guess, are the ones that we know about now. I do not know how the discussions evolved. However, I do know that at one point the Premier of Ontario offered a quarter of our Senate seats to help get a deal.

I have been asked by many people in the media and by a number of Ontarians what I think about this, as they should ask me. I do not know all the details; I do not know what the long-term impact on the province will be. I want us to review it very seriously and I hope the Premier will share with us any of the expert opinion he has as to the significance of that.

How does that affect us in the next stages of negotiations throughout the five years? I do not want to suggest and be at all misleading that if there is true Senate reform, the deal means nothing; if there is not in five years, the deal means something. What I am most concerned about is what it means in the five years of negotiating.

The Premier would know, as an individual, that if all provinces gave up virtually all their Senate seats, I would not suggest this country would in any way come to an end. I have said that on occasion in the past. When I was in Ottawa, I was privy to some of the federal officials as well when they were looking for this great kicker to make sure we negotiated fairly in central Canada for the Senate. I said my first kicker would be to kick it all out, but I understand that was not seriously on the table.

I do not know all the details but I want us to review it. I hope in the hearings we can get some expert opinion not only on that but on the areas of concern that were addressed. Many of the areas of concern, by this companion resolution, were the ones we asked two years ago to be addressed by a companion resolution.

The Premier would know that the distinct society was the one that goes to the heart and soul of Quebec coming into the constitutional fold. We felt that could have been dealt with two years ago and we had Morris Manning draft us a reference. We were willing to accept all constitutional expertise on the reference that would have—

Hon Mr Scott: Have you paid Manning for that?

Mr Harris: The Attorney General interrupts me. Mr Manning in the spirit of his love and concern for this country did it for free.

Mr Eves: Unlike the Attorney General.

Mr Harris: Unlike the Attorney General, I am told, when he was in private practice.

Hon Mr Scott: I never did anything for the Conservatives when I was in private practice.

Mr Harris: The Attorney General says he did not do anything for the Conservatives. Mr Manning did it for the country.

Surely two years of hearing from the people themselves, the Supreme Court, what they thought of the distinct society and how it impacted on the charter, is far more meaningful and productive than what we ultimately agreed to, which was the opinion of some lawyers like the Attorney General. As good as the Attorney General may be, he is not the one who will be making those determinations and those decisions. So I hope we can hear from the public, even though it is not in as meaningful a way as it could have been for the past two years.

In conclusion, I want to thank the Premier for inviting me to Ottawa. He and I share a love for the country, and I respect that. I admire that in parliamentarians. I suggest the leader of the New Democratic Party shares that love for the country as passionately as does the Premier and as do I.

We will watch the situation in Newfoundland very closely. We will pray that we will continue as a nation, from sea to sea, and after 23 June, there will be a much-needed healing process.

To this chamber, to the Premier and to my 129 colleagues, I pledge my support and my caucus's support. We were able to have one brief meeting today. We will have an extensive one tomorrow. I know that I have their confidence in pledging our support to Canada and to the healing process that must flow, whatever happens on 23 June.

ORAL QUESTIONS

CONSTITUTIONAL ACCORD

Mr B. Rae: I would like to ask the Premier if he can tell us what commitments, either informal or other, he has made with respect to the date by which this Legislature must pass the resolution which is being put before us today.

Hon Mr Peterson: We did discuss that matter. There is nothing on paper, as my honourable friend knows. A number of us discussed that matter and I said that I would try to introduce this in the House as quickly as possible and try to do it by 23 June. Some of the other ones will make the same attempt, but obviously we are not in the position to do that without the help of the members opposite. If there is an agreement in the House that this is the appropriate course of action, that is what I would ideally like. But if it does not happen, then, as I said, it is not the end of the world.

Mr B. Rae: Let me pursue the point. The Premier will understand that the resolution that is being put before us contains a three-page schedule. He will also understand that some of the schedule, some of what is being proposed are things that we have considered as a House and that the select committee has considered for a long time. I have no objection to those being dealt with expeditiously. Indeed, we have discussed that this morning and we are prepared to move very quickly on that.

Is the Premier prepared at least to agree to the simple fact that there has been no discussion in this House with respect to Senate reform for, as far as I am concerned, several years? Would the Premier not agree with that?

Hon Mr Peterson: Indeed, I do agree with that. Mindful of that situation and mindful of the pressures, as my honourable

friend is and was, we created the select committee on Senate reform some time ago. It has already started its discussions in anticipation of knowing that we wanted to broaden out the process and discuss these matter ahead of time and knowing that the process, as it was, was flawed.

My honourable friend is quite right. I cannot bind him to do this by 23 June. There are lots of ways he could prevent that from happening, and I am quite mindful of that. There is nothing to prevent anybody from doing anything. My honourable friend is quite right. There are a number of things we have discussed in this House and there probably will be general agreement on those, but I recognize that this one may be a little more controversial.

1440

Mr B. Rae: I must say to the Premier that I really do regret the tone of that answer. I will tell the Premier why. I have asked him, in a very straightforward way, the nature of the commitment he has made with respect to the date prior to 23 June. It is not a question of any one of us wanting to hold anything up or anything of that kind whatsoever. He knows that. He knows what we have been through as a province over the past three years. He knows the discussions that have taken place in this province.

I am just wondering, and I am wondering genuinely in a sense of wanting to get the answer out on the table, whether the Premier has made any commitments or feels compromised or bound by any commitments with respect to the process in Manitoba or Newfoundland or anywhere else in regard to the proposal on the Senate.

I am asking that in a straightforward way. If the answer is yes, we will have to deal with that. We are not going to be obstructionist in this matter at all. To be honest with the Premier and to be direct with him, we have not been obstructionist at all on this matter with respect to the Constitution, which I am sure he would agree with. I am asking him with regard to the Senate whether any embarrassment would be caused to the province by our saying we would like to have the opportunity to consider perhaps a little longer than simply four or five days the question of Senate reform.

Hon Mr Peterson: The answer is no, and I thought I laid out that commitment in response to the member's first question. I said that in a perfect world I would like to do that, but he is under no obligation to do that. I would prefer it. I think it is a sign of faith to some of the other provinces. I think they understand the legislative process, as do we. I can understand my honourable friend's question.

Really, the whole reason for this discussion with respect to Senate reform, as the member knows, was because it was on the agenda of Mr Wells, Mr Filmon and others, who had their own difficult political situations. I say as candidly as I can to my honourable friend, other leaders said that they would try to deal with this as quickly as possible, and it would be a good sign of faith from this province that we are committed to the processes we undertook, but it would not be the end of the world if it did not happen. I repeat, if at all possible, I would appreciate very much the co-operation of my friends opposite to do this.

Mr B. Rae: If that is the Premier's attitude, I wonder whether he can tell us why it is that there was absolutely no discussion or consultation with regard to the decision of the Premier to give up the six Senate seats before he made that decision in the conference.

Hon Mr Peterson: It was on Friday last, a very, very critical time in the discussions. As the member knows, that agenda had been pushed very strongly by Mr Wells and Mr Filmon. The member will be aware as well that going into the conference, those were the two biggest sticky points. In a sense, many of the issues had been narrowed down to those two things, and those were the major topics of discussions over the week.

It is an idea, as I said, that developed on Friday, and its author was Jim MacPherson, the dean of Osgoode law school, to try to be helpful, to salvage what we thought was an extremely difficult situation. I discussed it in great depth with my colleagues, with the experts who were there, and they gave me the benefit of their advice. There was no prior consultation with any other government, but we were looking at ways to save a very, very difficult situation.

I say as honestly as I can to my friend opposite, it is a judgement I had to make, as the member has to make judgements that are extremely difficult some days, as we all do. There are pros and there are cons, and I have to be a big enough person to take whatever criticism I get for personally taking that judgement. The Attorney General assisted me, as did all our experts, and a judgement was made.

I think, as the member heard my colleagues say in conclusion—not me but the other first ministers—had it not been done, the whole thing probably would have collapsed. That is why I did what I did, and I have to take the responsibility for doing that.

Mr B. Rae: Would the Premier then not agree that, given that this idea came up in the course, as I understand it—because I was not at any of these discussions, as the Premier will know—given that this proposal came, in a sense, very quickly, was submitted by the Premier very quickly in what he in all accounts describes as a crisis situation, in which Mr Wells was heading towards the door and it looked as if the discussions were all over—and talk about his wanting our co-operation—I wonder, in terms of the problems or the credibility of the whole process, would the Premier not agree that it now makes sense to have a genuine consultation with the people of the province and an explanation as to its implications, rather than something which takes place over a four- or five-day period? We are told we have to have this before 23 June. Would it not make sense to really consult widely with the people on it?

Hon Mr Peterson: I do not think I said we had to have it by 23 June. I told the member my preference as candidly as I could. If that is possible, I would prefer that because I think it is a sign of good faith from Ontario to its colleagues and responds to the cry of many of the regions for a greater say at the centre in decision-making.

Mr R. F. Johnston: Why not seven? Why not eight? Why six? Why not five? I don't understand.

Hon Mr Peterson: My honourable friend the member for Scarborough West is making some noise. He says: "Why not seven? Why not eight? Why six? Why not five?" All combinations of that were assessed, from our point of view. He is quite free to disagree with our assessment on that if he so chooses.

But I said to my honourable friend, if possible, I would like to proceed with that. If we cannot see our way to getting unanimous consent to do that, then I certainly understand the strictures on the legislative process. It is not my intention to try to force anybody to do anything. I am explaining to the member as best as I can, and we did along the way, the dilemmas, the

difficulties, the decisions that had to be made. If the member can live with it, I would obviously be grateful.

Mr B. Rae: Could I ask the Premier, would he consider separating out part 1 and part 2 of the schedule? Would he consider the possibility at least, which is a reasonable suggestion, that the House deal quickly and expeditiously, indeed immediately, with those matters which have been fully discussed in the House, but that we table the matter of the Senate, that it be submitted to and discussed by the House, but at least recognize that it is going to take the Legislature of Ontario and the people of the province more than six days to accept a possible 25% reduction in our Senate representation in five years? Is it not reasonable to give us a little bit of time as a province to consider whether this has any implications or not? What is unreasonable about that?

Hon Mr Peterson: I will certainly take the honourable leader's advice under advisement. It may be possible, it may not be possible or it may be impractical. As I said, the essential point to know here, I think, is this possibly may kick in five years from now, failing other achievements or advances with respect to Senate reform. It was, shall we say, the hand of good faith of Ontario going forward to Mr Wells and to the western provinces as well who, during the discussions, were far less aggressive than Mr Wells on this particular point, but that was the atmosphere in which we were dealing.

There may be possibilities of severing that off. On the other hand, I think we would have to reflect on whether it would be a sign of lack of faith and complicate the discussions in other provinces. I cannot speak for that right now. My honourable friend knows the difficulties in Manitoba as well as anyone in this House. He was dealing with that and providing a very constructive role. It is not our intention, as I said, to try to do anything peremptorily, or any other type. I think we could start the discussion. We will take the member's idea under advisement. It may be possible, but the Attorney General tells me, at the face of it, it might be an extremely difficult thing to do.

ROOMING HOUSES

Mrs Cunningham: Two weeks ago the Minister of Municipal Affairs and Housing met with the London North Community Association and advised that the city of London consider introducing a new rooming house bylaw based on the Guelph model. The Guelph bylaw classifies homes with more than three tenants as lodging houses rather than private homes. The commercial designation would assist the city in enforcing its property standards bylaw. Would the minister state for the record that this is his position on the exclusionary bylaw?

Hon Mr Sweeney: No, it was not intended to be that at all. As a matter of fact, I made very clear when I met with the delegation from London that the exclusionary bylaw stood alone, that there were a number of things that they and their municipal council could do. They could have a bylaw for rooming houses, they could enforce their bylaws for parking and for noise and for building maintenance, but the exclusionary bylaw was one that was put into the Legislature of the province because of the requirements of the Human Rights Code and the Charter of Rights and had to stand alone.

Mrs Cunningham: I am certainly pleased that the minister has made the statement that he would support a bylaw for rooming houses; I am sure he said that. Unfortunately, now we are getting some mixed signals from his ministry, and we are looking for clarification today.

Sue Corke, a member of his ministry's housing advocacy task force, was recently quoted in the *Kitchener-Waterloo Record* as stating that the Ministry of Housing is considering assisting the Guelph access to permanent housing committee in an appeal of the new Guelph bylaw before the Ontario Municipal Board, the one that the minister suggested would be a good model. In order to clarify the situation for all municipalities that are facing this tremendous challenge across the province, will he or will he not be proceeding with that appeal?

1450

Hon Mr Sweeney: I recently wrote to the Guelph city council and complimented it on the fact that it has a boarding house bylaw. As a matter of fact, we have advised a number of municipalities across the province, not just Guelph and not just London, that it would be appropriate for them to move ahead in this way. However, there is a sense within my ministry that the Guelph bylaw is unduly restrictive in two areas. We have suggested to Guelph that we would much prefer if it would sit down with the ministry, moderate those two areas where we feel they are unduly restrictive, and that would resolve the problem.

In the meantime, we got a request from the access to permanent housing committee in Guelph, which, as the member knows, is a creature of the Ministry of Housing and the Ministry of Community and Social Services. We felt obligated to act on their behalf to recognize the concern that they had and indicated that if we could not resolve the issue through negotiation and dialogue, we would be prepared to support going before the municipal board and to get it to deal with those discriminatory parts.

Mrs Cunningham: I am not certain what those two parts would be, but would it be appropriate for the minister to assure the people of London that his Ministry of Housing would assist them in the drafting and implementation of a new bylaw based on that Guelph model? I am asking him today if that is the kind of support the ministry will give to any municipality across the province of Ontario that is looking at this rooming house bylaw to support the concerns that the minister knows and citizens across Ontario know are real problems in their community.

Hon Mr Sweeney: I thank my honourable colleague for making that observation, because I thought I had left that message very clear when I was in London. In fact, I even allocated right at that meeting a staff of my ministry who would be prepared to work with not just the municipal council of London but also the ratepayers' group that had expressed some genuine and very credible concerns. Therefore, the answer was clearly yes then, and the answer is clearly yes today.

If I can go back to what I just said with respect to Guelph, we are quite prepared to use the good offices of our ministry staff to help it make those changes, and hopefully for other communities that have the same problem, we are quite prepared to assist them. We want them to have the bylaw, but we want them to have a good bylaw and we do not want it to be, as the access committee in Guelph has said, even more discriminatory than what is there now. We want to avoid the potential negative impacts and enhance the potential positive impacts, and my staff is quite prepared to assist in that.

PATRICIA STARR

Mrs Cunningham: My question is for the Premier. This government is again the target of some very serious allegations about the conduct of its members. I am sure the members op-

posite will appreciate why, given the record of cabinet resignations for reasons of conflict of interest and bad judgement which they set over the last five years, unfortunately, we assign some degree of credibility to Ms Starr's charge that a major, senior member of the Peterson cabinet coached her on ways of manipulating the Election Finances Act.

I remember last June when the Premier assured this House of his personal assurance that those whose performance had been found wanting will be discovered and those who have erred will be punished, and we all appreciate some of the steps he has taken. I know that he will be anxious to affirm his confidence in his personal word and would ask him what steps his government is taking to investigate this charge and to identify Ms Starr's coach.

Hon Mr Peterson: It is in the hands of the courts and will be dealt with appropriately there, and I have great confidence in the courts.

Mrs Cunningham: I would think that the Premier would be very concerned about those kinds of remarks. I would also think that he and every member of this House will recall that about this time last year—and that is why I am raising it; it has been over a year—he was telling us how important it was to have all the facts, how the so-called Starr scandal happened was beyond him and that, to the best of the Premier's knowledge, no one knew where the cheques came from. Ms Starr's comments suggested that it happened because very senior members of the Liberal Party and government were involved in making it happen and further suggest that if the Premier did not know, then someone in his cabinet knew where those cheques were coming from. We are all facing it again.

So my question is: Would the Premier not agree that this latest allegation simply confirms that a full public inquiry into this mess is still needed and that he and his colleagues have a responsibility to ensure that one is held, particularly since it is now alleged that a member of the cabinet may be involved?

Hon Mr Peterson: We have gone through this on many occasions. I know my honourable friend knows that legal judgement from the Supreme Court of Canada, and it is in the courts and I am sure that all the facts will come out.

The Speaker: Final supplementary?

Mrs Cunningham: I do have a final supplementary. I hate to keep pushing this, but we on this side have always found that the government's interpretation of the Supreme Court decision—question 2—on the Houlden inquiry to be too convenient by half. That certainly is the feeling of many members of the public and it is certainly the feeling of this side of the House.

That court's decision precluded inquiry into specific individuals subject to criminal prosecution. There must be some way, and I think we are somewhat amazed that the Attorney General, given his own personal esteem and his ability to get so many things done, it is just amazing that he cannot write terms of reference for an inquiry which would not violate the Constitution.

The Speaker: And the question?

Mrs Cunningham: We are amazed that he cannot find time to write terms of reference for an inquiry which would not violate the Constitution.

The Speaker: And the question?

Mrs Cunningham: Therefore, to the Premier: Does he not have this kind of confidence and does he not think it is neces-

sary, and what will we have to do to get a public hearing so that this matter can be cleared up?

Hon Mr Peterson: I know where my honourable friend has been for the last little while, but I think it is all there. The processes are unfolding and all the facts will be there for my honourable friend to make her own judgements about.

NORTHERN HEALTH SERVICES

Mr Pouliot: To the Minister of Health: The minister will be aware of the acute lack of mental health care professionals to service northern Ontario. At present, if you take the area from Sudbury west to the Manitoba border, you have a total of some six psychiatrists to address the needs of 250,000 people. In contrast, the minister will also be aware that in the city of Ottawa, with a population of approximately 500,000, the number of psychiatrists rises to 200.

What specific plans does the minister have? What will she say to assure the House of her immediate plans to address the discrepancy, and more important, to address the acute shortage of psychiatrists to service the good people of Ontario?

Hon Mrs Caplan: I have answered this question in the House on a number of occasions. I have said to the member opposite that northern Ontario poses very special challenges in the delivery of health services because of the fact that it is so vast and sparsely populated. I can tell him that human resource planning across the province of Ontario is a priority. The Premier's Council on Health Strategy is addressing it in a comprehensive way. We have established the Northern Health Human Resources Committee in the north, and I have met with it. I will say to him that we have a number of programs, the underserved area program, northern residency programs and so forth, which I believe will go a long way to addressing the challenges we face.

Mr Pouliot: With respect and as a person, and it will be our secret between you and me, I really like what you are saying, but for the last five years we have been holding hands. It is time to come across.

I have a suggestion for you, Mr Speaker, by way of a question: I cannot remedy the problem; Elinor and I will do it together. Will the minister—

Interjections.

The Speaker: Perhaps the member might like to rephrase.

1500

Mr Pouliot: Indeed thank you for your leadership, Mr Speaker. Under your tutelage I will indeed—and thank you again—reconsider.

The opposition is offering the simple remedy to address the acute shortage. Now that I have the minister's attention, will she not fund a program to attract foreign doctors so that, at least on a short-term basis, people will be given the same treatment that people in southern Ontario take for granted?

Hon Mrs Caplan: As the member opposite knows, we have a program for graduates of foreign medical schools in this province which I believe offers opportunities for those people who have been trained outside of Ontario and outside of Canada. I believe that program is appropriate.

Overall, physician supply in the province of Ontario is adequate. There are, I admit quite openly, areas where we have difficulty attracting, particularly in northern and rural communities.

I would say to him, however, I believe there is the opportunity for young Ontarians to have the chance to become doctors and nurses and other personnel in our schools here and that I would support, first, the kind of northern residency program which we have just announced for northern Ontario to give young Ontarians that opportunity to learn to love the north as part of their medical training and experience.

As far as the specific issue that he addresses is concerned, I will tell him that the 10 Ontario psychiatric hospitals are developing the kind of network and working together to ensure that in the short term, while these medium- and longer-term initiatives come into force, we will have the opportunity to support the different regions that are experiencing temporary difficulties.

TORONTO TRANSIT COMMISSION SAFETY

Mr Cousens: I have a question for the Minister of Transportation. The minister will be aware that the coroner's inquest is now over for the Toronto Transit Commission accident that resulted in the death of John James Morrison. The coroner's inquest has come forward with a series of recommendations dealing with improving safety measures on the Toronto Transit Commission. Many of these measures are absolutely necessary if we are to prevent further deaths and near-tragic incidents, as heard by the jury. Will the minister advise this House what assistance his ministry will provide to the TTC in order to implement these recommendations?

Hon Mr Wrye: I have not had a chance to go over with my officials the recommendations of the coroner's jury in depth, but from what I have been told and the press reports that I have read, I am very pleased to see that the commission is moving expeditiously and in a very positive light to try to deal with these very, very important issues. I note particularly that some of the work was under way even while the inquest was proceeding and that the general manager of the TTC indicated following the report of the coroner's jury that additional work would go forward as quickly as possible.

We met with the TTC leadership on some other matters last week and discussed this in passing, because the coroner's jury had not yet reported, but I expect my officials will work very closely and certainly will work co-operatively, as we always do, with the TTC in making these very important changes.

Mr Cousens: I appreciate that the minister would be interested and I really hope that he personally will have a look at the recommendations and have a good understanding of just what has happened, because the testimony that came out of the hearings and the statistics that have emerged are really quite horrifying. According to some of the statistics, on average, one person is injured in the subway train doors every four days. I myself have heard of other instances where accidents or near accidents have happened.

I think really what I want to have the minister commit to today as much as anything is that he will do everything possible from within his ministry to ensure that the TTC carries out the recommendations, thereby ensuring that we can do everything possible to prevent any more unnecessary deaths.

Hon Mr Wrye: Certainly one of the areas that the coroner's jury discussed in its recommendations was the area of the present two-whistle system and moving to a different kind of audible system. It is my understanding that the commission has already begun its review and expects to move forward to a different kind of system. We certainly stand ready to co-operate at all stages in ensuring that we not only have, as I have said to

my good friend numerous times in the House, the finest public transit system in terms of the distances to be travelled and having up-to-date and modern equipment, but also, as I know he desires and as all of us desire in the House, the safest system. That is our goal and that is what we will be working co-operatively with the TTC on in the months ahead to ensure that goal is met.

PLANT CLOSURES

Mr M. C. Ray: I have a question for the Minister of Labour and it concerns the issue of plant closings and the kinds of consultation that occur between the government and the private sector prior to a corporate decision to close down operations in Ontario. The Legislature is familiar with the notice requirements and the labour adjustments which occur after closure, but my concern is with the prior consultation. Could the minister describe what he and his ministry do to attempt to avert a plant closure and whether the Ministry of Industry, Trade and Technology is in any way involved in the consultation process undertaken by the Ministry of Labour?

Hon Mr Phillips: As the member would appreciate, the Ministry of Labour primarily is involved in assisting the workers who are affected by closures. Having said that, of course the best thing is to have an economic climate in the province that avoids closures, and where we have a possible closure, to involve particularly the Ministry of Industry, Trade and Technology to see if there are not some alternatives to that. Certainly on a regular basis the Ministry of Industry, Trade and Technology is involved, using the funds from the Ontario Development Corp, the Eastern Ontario Development Corp or the Northern Ontario Development Corp.

Having said all that, it tends to be on a somewhat informal basis. In many cases it does happen, and in some cases the closure is averted. Again, the Ministry of Labour's role tends to be most heavily involved in helping the workers who are affected by it, but in most cases the Ministry of Industry, Trade and Technology is apprised of the situation. Where they can be of help, they are of help, and they have a series of funds that are available for such cases.

Mr M. C. Ray: What I would like to know is whether or not we can expect any formal statutory consultation process to be established, and further, whether or not the Premier's Council on the economy is in fact looking at legislative amendments that could be brought forward with respect to the whole issue of plant closure and worker protection.

Hon Mr Phillips: Again, I remind ourselves that our Premier had a vision several years ago and saw the need for ensuring that we consider these challenges and established the Premier's Council. We had one report that advised the government to invest in helping to develop industries that were adding value to products. We invested about \$1 billion in that.

The second part of that is the human side of it, because I think most members are aware the Premier's Council is preparing its second major report to deal with the human side of it. It is the expectation that over the next few weeks, I believe, the Premier's Council is nearing completion on that second major report. Again, I think the Premier should be commended for anticipating the challenges brought on, among other things, by free trade, setting the Premier's Council up, and now we will have a report very shortly outlining some of the things that the government can do to assist workers during this transition period.

The first part of the question was, are we considering a more formal mechanism, and yes, we are. As I said in my earlier answer, we have an informal mechanism that tends to work, but there may be an opportunity for a more formal structure that we are considering.

GARSON MANOR NURSING HOME

Miss Martel: I have a question for the Minister of Health regarding Garson Manor, which is a private nursing home in my riding. Late Friday afternoon, staff of the manor went to cash their paycheques and discovered that they could not, as the manor had gone into receivership. At an emergency meeting which was held with the staff on Saturday morning, the administrator made several allegations: First of all, that the owner, Carl Bennett, had recently received some \$55,000 from the Ministry of Health to meet his payroll needs and that now both he and the money have disappeared; second, that Mr Bennett has a number of outstanding bills with food distributors, in particular in the Sudbury area, and many of these are now over five months overdue; third, that as administrator he did not know what would happen to either the staff or to the residents at the manor.

I would like to ask the minister what she is doing to assure the community and the residents that the manor is going to continue to operate and to assure the staff that the terms of the collective agreement will be honoured.

1510

Hon Mrs Caplan: I will say to the member opposite that I am not familiar with the issue that she raises and that I will be pleased to look into it.

Miss Martel: While she looks into that, may the minister keep this in mind. First, this is not the first time the manor has been in trouble. In fact, in the last 8 to 10 years, there has been a resale and sale on at least three different occasions. With the last two employers in particular, there have been constant problems with, first, receipt of cheques on time and, second, receipt of proper amounts due to staff. There have been major concerns raised by the union regarding the poor physical condition of the manor and there have been no improvements each time that a new owner took over.

I would like to ask the minister what guarantees she will provide on behalf of the residents, guardians and staff that in fact this manor will not again fall into the hands of some fly-by-night operator who does not care about staff and does not care about patients and should not be operating a nursing home in Ontario.

Hon Mrs Caplan: I would appreciate it if the member opposite would provide me with whatever information she has and I undertake to look into this matter.

ASSISTANCE TO FARMERS

Mr Villeneuve: To the Minister of Agriculture and Food: By now, I am sure the minister has had time to examine this proposal made by the national Grains and Oilseeds Safety Net Committee. A committee in which the government as well as producers participated, it recommended that gross revenue insurance and net income stabilization be in place by 1991-92. Does the government of Ontario intend to participate, and when will the minister announce that participation if it does?

Hon Mr Ramsay: I am in constant contact, as the member knows, with my fellow ministers across the country. I am very

excited by many of the ideas that have been brought forward here by the safety net task force. Yes, the government of Ontario and the Ministry of Agriculture and Food are quite prepared to enter into discussions to make sure that we get good grain stabilization programs nationally for the farmers of Ontario.

Mr Villeneuve: Farmers have noticed that this government and this minister are quite prepared to announce short-term, ad hoc announcements close to election time, but really there is no long-term planning so that farmers can make those long-term decisions which they have to make. Farmers need more time, not just a little amount of money for an upcoming election.

The minister does not have to wait until he drafts his final report and whatever. When does he intend to announce that he will be participating and that we as a province will be participating in the recommendations of the ad hoc committee?

Hon Mr Ramsay: I would like to say to the honourable member that I agree with him about the ad hoc programs. I would rather not have to bring in ad hoc programs. He is right; it is because the federal government, in the last six years, has not got its act together that we have had to bring in short-term programs. That includes Mr Mazankowski. I appreciate his short-term program, but the member is right: The root of the problem is that we need long-term, national farm income stabilization programs across this country. I am quite prepared and committed to making sure that we get these programs off the ground and that Ontario is going to be there with the other provinces in entering these discussions with the federal government.

RETAIL SALES TAX

Mr Fleet: My question is of the Treasurer and it is based on a personal experience which many of my constituents also face. This is my daughter's first pair of walking shoes at nine months of age. She will outgrow them in three months. They are sturdy and hard-soled Canadian-made shoes, but they are not fancy ones. I was shocked that these shoes, including provincial sales tax, cost \$43.19. Certainly many of my constituents cannot cope with such prices. Although shoes are available for under \$30, this typical advertising brochure for shoes demonstrates that reasonable-quality shoes for children of all ages routinely run from \$40 to \$60 or more.

Many years ago, for administrative simplicity, Ontario replaced sales tax exemption for children's footwear with an across-the-board exemption on all shoes costing less than \$30. My question for the Treasurer is, since the purpose of this exemption is no longer being met, is it not time to help Ontario families and either return to the original exemption or raise the current exemption?

Hon R. F. Nixon: Knowing my honourable friend's enthusiasm, he may be buying quite a lot of those in the future.

I want to respond as carefully as I can because it just seems like last year when those shoes were \$5 a pair. I guess times change.

I would like to point out to the honourable member, however, that the \$30 exemption has not changed, as he pointed out, and instead of that, we have implemented a tax reduction program for people on low incomes. This year we added an extra \$200 reduction from actual tax payable for people on relatively low incomes. I know the honourable member, being a member of this House, is not in that low-income category, so the advantage is not as apparent to him as it otherwise would be.

This additional commitment of about \$30 million, as I recall, is \$200 per child for low-income families.

It could well be that we should raise the exemption the honourable member is referring to, in addition, and I will certainly give that the careful consideration it merits.

Mr Fleet: The federal goods and services tax is particularly harsh for families. If a parent can manage to find a shoe priced at \$29.99, he not only pays the 7% sales tax beginning in the new year, but because the GST raises the cost of shoes, he is unable to claim the under-\$30 exemption and therefore also has to pay provincial sales tax. The GST will penalize all children's clothing from head to toe. It is 7% directly out of the pockets of every single family for every single item.

Last week the federal government announced changes in the administration of the GST to help businesses. Is there any indication that the tax-happy Mulroney government will change the GST to help families?

Hon R. F. Nixon: I certainly am not in the situation where I am defending the federal government on this new tax and I do not intend to do so. I know of no direct assistance to families other than the quarterly payments that will be given to low-income families, which according to the Minister of Finance will make people who are earning \$30,000 a year or less really exempt from the net effect.

I am interested to know that the honourable member is able to find, when pressed to it, shoes that are under \$30 which will be over \$30 when you add 7% to them. We will look into that aspect too.

REGULATION OF ZOOS

Mr Philip: I have a question of the Solicitor General. The minister will be aware that in 1988 my private member's bill passed. This bill regulated private zoos. During that debate, the Minister of Natural Resources washed his hands of it and said that the Solicitor General would be bringing in legislation to regulate zoos in this province.

We have now seen the tragedy of a young man losing his arm at the zoo in Gananoque. Now that two years have passed, where is the legislation that will protect the public from this kind of tragedy?

Hon Mr Offer: I think the honourable member will recognize that there was a bill proposed, as he has alluded to, dealing with the licensing scheme for zoos and other animal exhibits. He will also be aware that his bill excluded circuses and pet stores. When this bill came up in second reading, I think the member will be well aware that though we certainly agreed with the direction of the bill, there were some concerns raised dealing with the necessity to deal with the whole question of animal welfare on a holistic basis as opposed to a fragmented basis. We have, as a result, created an interministerial committee which looks at a wide variety of issues dealing with the whole question of animal welfare. It does not exclude any one particular aspect.

We believe that is the best way to approach this very important issue. We believe this is the way in which the issue can be addressed in a comprehensive fashion. Currently, that particular committee has not only addressed those particular issues but has received consultation from outside, receiving the opinions and concerns—

1520

The Speaker: Thank you.

Mr Philip: The Liberal members on the committee blocked any kind of hearings on that bill. The Solicitor General will be aware of that. I am sure the Solicitor General will agree that for at least two years he has been receiving presentations from zoologists, humane societies, veterinarians and members of the public stating that it was just a matter of time before we would have a tragic accident in the private zoos in this province. We have now had this tragic accident. A young man has lost his arm, and I ask the Solicitor General how much longer we are going to wait until he brings in legislation to ensure the public is protected and that we have zoos that are operated in a humane and safe way in this province.

Hon Mr Offer: I think, in dealing with this particular issue, we have acknowledged that there are issues that must be addressed. We have gone further. We have stated that in order to address these issues, it can only be done in a comprehensive fashion dealing with a wide range of animal welfare issues. We should not, in any consultative effort which we have undertaken, exclude any one particular issue. We have looked at all of the issues. That interministerial committee has dealt with a wide variety of issues and has asked for and received a great deal of outside consultation to deal with what we believe is a matter which must be dealt with. That committee is on the basis of reporting in the very near future. I am looking forward to receiving the report to deal with the issues on the basis of a consultative, comprehensive approach to animal welfare.

Mr Philip: Irresponsible. How many tragedies does he want before he acts?

The Speaker: Order. The member had a question and a supplementary. Now I will recognize the member for Mississauga South.

ENVIRONMENTAL ASSESSMENT

Mrs Marland: My question is for the Chairman of the Management Board of Cabinet. The minister knows an appeal is before the cabinet of the joint board's decision against a landfill site which is being proposed by the North Simcoe Waste Management Association. The joint board turned down the application, based on methodology, and to quote briefly from the decision, "The proponent's environmental assessment lacks the basic combination of reasonableness, consistency and a systematic approach."

Sound methodology, including planning and the consideration and evaluation of alternatives, is integral to the Environmental Assessment Act. Can the minister assure this House that, when reviewing the joint board's decision, cabinet will uphold the intent and requirements of the Environmental Assessment Act?

Hon Mr Elston: I am not sure in which capacity the question is addressed to me. I am the Chairman of Management Board, I am the chairman of cabinet, and I can tell the honourable member that when cabinet reviews material coming before it, it of course holds in place the intent of the legislation. But if the member wishes more specifics with respects to the Environmental Assessment Act or whatever, I can ask that the Minister of the Environment reply directly to her. Other than confirming that we are a law-abiding cabinet and will take into consideration the terms that are required by an appeal before us, I cannot give her any further information.

Mrs Marland: I am not suggesting that the cabinet is not law-abiding; I am just saying that its respect for the environmental assessment process begs a lot of questions in this

province today. We can look at Project X last year that was going to throw out the environmental assessment process in favour of the development industry. We have lots of examples, unfortunately.

The minister's government exempts the landfill sites from the full environmental assessment now in the greater Toronto area. This is why the question is so significant and this is why I am asking him, and I will ask him again, if he will guarantee that his cabinet colleagues will uphold the methodology requirements of the Environmental Assessment Act when they deal with the appeal for the North Simcoe Waste Management Association.

Hon Mr Elston: I am not prepared to release the decision of the cabinet before a decision has been rendered. I think that is really what the member is asking me for, and I am not in a position to be able to do that.

I would just like to advise the honourable member, however, that from time to time, people do things differently. Her party, when it was in power, used to exempt everything. In fact, it would not even implement the Environmental Assessment Act. They would not even move forward, as I recall, to actually give the Environmental Assessment Act any teeth. They would not actually stand up and deal with the issues in a very sensitive fashion. We are left with a whole series of environmental problems.

As I recall, there was one minister of the crown, the Minister of Transportation, and his deputy, who were prosecuted under the Environmental Protection Act because he refused to take it into account.

I can tell the House that we in the Liberal Party have gone forward with environmental assessment and the Environmental Protection Act protections in a way which has moved us into the forefront, not just by the legislation we have but by a practical demonstration of consideration for environmental concerns. We will continue in that tradition.

LAYOFFS

Mr Tatham: My question is for the Minister without Portfolio responsible for women's issues. Recently the Harvey Woods plant in Woodstock closed. This plant was part of the Tag Apparel Group Inc, which has been placed in receivership. The plant employed about 600 workers, a great percentage of whom are women, loyal and hard-working people. Can the minister tell us what the government is doing to assist women who lose their jobs as a result of bankruptcy?

Hon Mrs Wilson: I have great sympathy for the workers who have lost their jobs as a result of this plant closure, and this government is committed to minimizing the effects on workers who lose their jobs as a result of plant closures.

In this case, the Ministry of Labour's employment adjustment branch is there and working with the workers. Job adjustment committees have been formed and all employees are eligible to receive a full week of job search counselling.

My ministry is funding the International Ladies' Garment Workers' Union to research the experience of older workers who have been laid off in the garment industry. We intend to use the data from this research to develop future policies. The importance of balanced economic development cannot be emphasized enough. Balanced economic growth ensures that there are quality jobs within a community for people to move to once there is a plant closure.

Finally, women in this province are benefiting from this government's sound management of our economy and our social programs.

Mr Tatham: Some of the women who lost their jobs as a result of the Harvey Woods closure are immigrant and visible-minority women. Can the minister also tell this House what the government of Ontario is doing to enhance the participation of immigrant and visible-minority women in our economy?

Hon Mrs Wilson: If we are to remain competitive in this global economy, we are going to have to use all our human resources effectively. In this regard, my ministry, the Ontario women's directorate, has targeted as a priority the needs of immigrant and visible-minority women in the province.

For example, my ministry is sponsoring a pilot labour adjustment program for immigrant women. The aim of the project is to develop a comprehensive labour adjustment package for women who are facing a plant closure or downsizing. My ministry is working with the Ministry of Labour and also with the Ministry of Skills Development in this project. In addition, my ministry has a community grants program. Each year we will send out some \$160,000 for projects for immigrant and visible-minority women.

These examples, I believe, show very strongly our government's commitment to meeting the needs of immigrant and visible-minority women in our workforce.

FUNDING OF AIDS DRUG

Mr Reville: My question is for the Minister of Health. As the minister knows, AZT, the primary treatment for AIDS, is a drug which is in the final stage of approval as a regular prescription drug. When that approval is given, the cost of such drugs will fall on the users of those drugs. The cost is substantial, up to about \$5,000 per year. That is why the various AIDS committees around the province are calling on the government to commit itself to funding AZT regardless of whether people who use it are eligible for the drug benefit plan or not. Could the minister commit her government to doing that?

Hon Mrs Caplan: The ministry wants to ensure access to effective, high-quality care for all patients with AIDS and HIV infection. We have been seeking expert guidance from the Ontario Advisory Committee on AIDS. The medical subcommittee is reviewing advice and literature, as well as the federal guidelines in the context of all available literature, as well as in consultation with HIV primary care physicians. As he knows, at the present time these matters are all under review. Patients receive AZT through the network of outpatient clinics in the province.

1530

Mr Reville: I am sure the minister will agree that persons living with AIDS and HIV are already terribly anxious. They are particularly anxious because many of them do not know how on earth they will be able to afford the \$400 a month it costs to have this drug available. While we do not at all deny the value of seeking expert advice, the fact remains that unless this drug is provided, many of the people who use it will be forced to go on welfare or they will not be able to have it. I think it should be an easy political decision for the minister to make to commit her government now to making sure that no one goes without this drug because he cannot afford it.

Hon Mrs Caplan: I would say to the member opposite that I am particularly proud of the record of the Ontario Minis-

try of Health and the leadership role that we have played in developing a program for both AIDS and HIV that is a model in this country. It has involved both professionals as well as community-based groups and public education, and appropriate access, I believe, to drugs such as AZT and aerosolized pentamidine in a way that I think reflects our commitment to ensuring that people have access to effective and high-quality care.

I take very seriously the issue he raises and I want him to know that the AIDS co-ordinator in the ministry is keeping in touch with the actions of the federal government, as well as ensuring that we gather all of the best available information that is possible. AZT is highly toxic and we want to make sure that we seek advice from experts. I am looking forward to the time when in fact there is a breakthrough in research so that those with HIV infection will perhaps have a better and brighter future than the one that exists today.

ABANDONED RAIL LINES

Mr Pollock: I have a question for the Minister of Transportation. About two years ago an interministry committee was appointed to study abandoned railroads in the province. The Ministry of Transportation was supposed to be the lead ministry. I understand that particular report was supposed to be released in June. Can the minister tell me if that report is going to be released before too long?

Hon Mr Wrye: I would have to check for the honourable member as to the exact release date. We have done a great deal of work, working with our colleagues in a number of other ministries within government, on the issue of abandoned railways. It is an issue that is extremely troubling to the honourable member and to a number of the members of his caucus, I am sure, as both of the railway companies seek to walk away from commitments they have had through the years. We have to try to address that problem in a useful way. I cannot give the honourable member an exact date for the release of that report, but it should be shortly.

Mr Pollock: Actually, it is not totally troubling to me. I actually want one particular railroad taken over by the province and run as a recreation trail. The people have been waiting, as I mentioned, for approximately two years and I just wondered when that report was really going to be released and basically what it was really going to say.

Hon Mr Wrye: I would look forward to discussing privately with the honourable member the railway line in question that presumably runs through the great riding of Hastings-Peterborough. I look forward to that discussion. I must say it is of some regret, in some of these cases, that such lines are being abandoned. As the honourable member knows, quite often the province has been taking a role in front of the commission in opposition to proposals to abandon rail lines, and we intend to continue to do so where we think the best interests of the province are at stake.

PLANT CLOSURES

Mr D. S. Cooke: I would like to ask a question of the Minister of Labour. The minister will be aware that last Thursday afternoon in Windsor there were 2,000 people demonstrating against his government because of the lack of proper plant closure legislation. I would like to ask the minister a very simple question. The frustration and anger at this

demonstration was very clear. As the minister will know, in my community there have been over a dozen plant closures in the last few months.

Does the minister not realize that if he does not bring in up-to-date, modern plant closure legislation that provides for public justification, adequate notice and a more comprehensive form of severance pay, that if this kind of legislation is not brought in, communities like Windsor will revolt and there will be the breaking of laws by the occupation of plants and other activities so that workers can at least protect themselves if he is not prepared to protect them?

Hon Mr Phillips: I dealt partially with the same subject earlier today in question period. Again I go back to the full appreciation that for laid-off workers, the fact that we have seen jobs created in the province—I think 720,000 jobs in the past five years—and the fact that we have seen the unemployment rate drop significantly in the past five years, I realize is not of importance to an individual who is laid off. We have been fortunate in the province to have a strong economy.

For those particular workers, I would provide the assurance that we have the best severance program of any province in this country. We have the longest notice of any province in this country. We ensure that where there is a layoff we are notified and that we set up an industrial restructuring group where both labour and management want it. We work with the employees to help in that situation.

As I said earlier, we are looking at other things we might do, but I would not want any member of the House to not recognize that we have, as I say, the best severance package in Canada. We have good notice provisions. We ensure that we set up a joint committee made up of the workers and the employer to work as closely as we can with the affected parties. Having said all that, as I said earlier today, we are looking at things that we can do to also improve that.

1540

MOTION

CONSTITUTIONAL ACCORD

Mr Scott moved that the select committee on constitutional and intergovernmental affairs be authorized to consider the 1990 constitutional agreement signed at Ottawa on 9 June 1990 (sessional paper number 400) and to report to the House no later than Wednesday, 20 June 1990; and that for the purpose of this motion, the committee be authorized to meet concurrently with the House and during any adjournment of the House, subject to the agreement of the House leader and the chief whip of each recognized party.

Hon Mr Scott: It has been an honour to move the reference of the agreement made by the 11 first ministers of the Canadian Confederation at Ottawa last Saturday into committee for consideration by the committee and by this House. Honourable members are aware that the issue that will be considered by the committee and ultimately by the House raises fundamental and very important questions about the nature of our federation.

The concerns that were expressed in statements today naturally focus on the agreement and its history and take two forms. There is concern about process and there is concern and has been concern about substance. I would propose, with your permission, Mr Speaker, to address each of these subjects in turn.

First, the process: I do not think there can be anybody in the country who would not be distressed by observing the process and the pressures of time under which it was in one sense conducted. On the other hand, it bears saying that in some respects those pressures are a function of the 1982 Constitution itself.

Honourable members will recall that before 1982 there was no way at all to amend the British North America Act within Canada. The practice before 1982 had been to amend it by the House of Commons and the Senate of Canada, with or without the approval of others, and submitting a resolution to the British House of Commons and the House of Lords for enactment. Members will know that all amendments to the British North America Act from Confederation in 1867 until 1982 took that form. There was no other form.

Indeed, honourable members will recall that in the great debates and conferences that were associated with the repatriation effort in the early 1980s and the enactment of the Charter of Rights and Freedoms, when Mr Trudeau, after consulting with his provincial colleagues, contemplated that there would be resistance to his proposals he simply indicated, as in law he was or thought he was perfectly entitled to do, that if they would not agree with him he would go to the House of Commons in London to see that his charter was enacted. He was challenged on that. The Supreme Court of Canada determined that he could do that, but only if there was some general concurrence among the provinces as to the proposal that was being made.

Therefore it was critical in 1982 to build into the Constitution, which we were repatriating, an amendment formula. That was done after considerable consideration. The amending formula of the Constitution of 1982 essentially establishes who will enact amendments. The enacting authority for amendments is of course the people of Canada, not by referendum but the people of Canada as represented by the legislatures of the provinces and the House of Commons and Senate of the Parliament of Canada. So the Constitution provides that the enacting authority is not some constitutional convention or some referendum, but is precisely the resolutions of the legislatures and the Parliament.

The Constitution of Canada also provides the method by which enactment will take place in terms of numbers. It provides unanimity with respect to legislative enactment in some respects, and provides that certain other amendments may be undertaken upon the resolution of seven of the provinces representing 50% of the population.

The formula that was evident last week, which required unanimity, was not a formula that the first ministers took on themselves or that was imposed by the Prime Minister; it was a formula dictated by the Constitution of Canada, 1982.

As well, the time frame within which the issue is said to be required to be decided—that is, by 23 June—is not a time frame that has been fixed by first ministers or by the whim of any politicians or statesmen in the country; it is a time frame fixed precisely by the Constitution of Canada.

I say to honourable members that it is fair comment to say that this process can be better, but one must recognize that the bare bones of the process are dictated not by first ministers or indeed by members of this Legislature but by the terms of the Constitution themselves. If any amendments were undertaken that did not comply with those guidelines, that act would itself be unconstitutional.

Thus when I hear some of my friends say, "Well, we shouldn't rush. June 23 is too soon. We should let it go six

months or six weeks," I want them to understand that the Constitution does not permit that to happen. Much as one would like to do it, it would itself require a constitutional amendment for that to take place.

That having been said, there is plenty of room for consideration about whether a new constitutional method should be devised, or whether within the existing framework there are not modifications we can make. I have heard a lot of people say that we must never do this again and that we must make changes about the way we do it. With that I entirely agree. I have heard many fewer people describe precisely, except in the most generalized terms—more listening—what those changes might be.

I was fascinated to hear the Leader of the Opposition, whose views on this matter I take very seriously, assert that a significant part of the negotiation process between the governments that will lead to enactment in the Legislature should take place in public. I was fascinated to hear that, not only because he made a convincing case but because last night on television—the only entertainment I felt capable myself of participating in yesterday—his former leader, Ed Broadbent, made exactly the opposite case with equal conviction, that if people thought this kind of exercise under our Constitution could be undertaken in public, they did not know anything about meaningful negotiations.

For the moment, I opt not for one proposition or the other. I stand somewhere between the Leader of the Opposition—

Mr Breaugh: One leg on both sides; yes, we know.

Hon Mr Scott: I am glad to have the Leader of the Opposition on the left of me and Ed Broadbent on the right of me. I simply give that example to say that when we talk about process, we must talk about specifics.

I saw, as perhaps honourable members did, and this is on the subject of process again, a fascinating television account on the CBC in which the CBC brought eight or nine Canadians from places as far apart as Newfoundland and British Columbia together to discuss in straightforward terms issues of constitutionalism, as it struck them. The CBC filmed the enterprise over a weekend at a resort not far from the residence of the honourable member for Oshawa, and then put it on television. Of course it was fascinating. You saw these eight people coming into the lodge, introducing themselves to each other. One was from Newfoundland, another from Quebec, one from the Yukon, one in fact from Oshawa—not perhaps in every respect typical of that community, but none the less a Canadian representative of certain views.

You saw them at their first meal, when they discussed where they came from and what their general views were. Then you saw them begin to talk about the issues of what it meant to be a Canadian and how we should organize our national affairs. By Saturday at noon one of them proposed: "It's the politicians who have got us into this trouble. If we ordinary Canadians sat down to talk about the problems of duality, of multiculturalism, of equality in our community, we could make a solution. Why? Because we are reasonable people and the politicians are not." So one of them got out a pencil and a piece of paper, "Let's list the things that we think are important in the way we govern ourselves." They did their best, because they were intelligent, well-intended Canadians.

The following clip is the next day. They are arguing bitterly. They are at each other's throats. They cannot agree. The representative from Ontario cannot accept the views of the young woman who came from Montreal. The chap from New-

foundland rejected the ideas of the woman who came from the Yukon. They had to pronounce failure. In the last scene, on Sunday night they are leaving the lodge and they have become great friends—and they did become great friends, as far as one can tell—but they cannot agree on how or on what principles our country is to be governed and, as they part, they burst into tears at that reality.

1550

The process about which we are all concerned is established by the Constitution and is in many respects unsatisfactory in principle and in its application. This is the first time we have ever attempted to apply that process, and as the Premier said today, we have learned much about the strengths and weaknesses of that process. As I hope that example makes plain in another context, we have also learned much about ourselves as Canadians as we tried to work that process. So I know that honourable members will be particularly pleased with the part of the accord that recommends that serious consideration be given to modifying, either within the existing framework or otherwise, a new process for Canadians.

Let me turn to substance. As honourable members know, the problem that we have been confronting for the last five years really arises because, in 1982, the government of Quebec was not prepared to accept the recommendations or the adjustments in constitutional terms that had been substantially agreed to by the government of Canada and the other provincial governments. The government of Quebec at the time, under Premier René Lévesque, had advanced and stood by some 20-odd proposals which, as far as the government of Quebec was concerned, were the *sine qua non* before it would sign and support repatriation and the Charter of Rights and Freedoms.

The governments of the day, and I say this carefully, I think were wise to reject that ultimatum, but it created a major obstacle because, while in a technical sense Quebec remained bound by the terms of the Constitution, it had, as it was entitled to do, wholly opted out of the Charter of Rights and Freedoms and had not made the moral commitment to our new Confederation of 1982, upon which our ability to live together effectively in this country was going to be almost totally dependent.

It was apparent—it must have been apparent the day Mr Trudeau put down his pen—that within a year or two steps would have to be taken to accommodate the legitimate needs of Quebec, in so far as they could be properly accommodated, and to bring Quebec within the constitutional family of Canada.

This was important for a second reason. It was apparent that until that was done, the governments of Quebec would not participate in further constitutional amendments. I remember the aboriginal round which took place in 1986-87. It failed for a number of reasons, but one of the reasons high on the list that led to its failure, in my opinion, was the absence of Quebec from that constitutional negotiating round.

But an important thing happened with the election of the Liberal Party in the province of Quebec in December 1985, because that party had campaigned and had won the election on a program of constitutionalism that rejected the demands that the Péquistes and René Lévesque had presented. It was within six months of their election at a conference, sponsored, interestingly enough, by Queen's University at Mont-Gabriel, Quebec, that the Attorney General of the Quebec, M. Rémiillard, in a speech advanced the five points which Quebec sought to accommodate in order to participate in the Canadian constitutional family.

Canadians were startled at the Rémillard speech because, while it had been predicted in policy papers of the party, it was the first public representation in a formal way that the new government of Quebec was prepared to deal reasonably and in modest proportion with its own constitutional needs and the constitutional needs of the country.

Canada had said no to Quebec in 1982, and for reasons I understand. At Mont-Gabriel, the new government of Quebec said yes to Canada for the first time. Following that announcement, the government of Quebec and its representatives travelled across Canada to Ottawa and the provincial capitals to determine the extent to which there could be an accommodation around their five points.

In August 1986, at Edmonton, the first ministers of Canada, having reviewed the five points and the extent to which there was provincial and federal support for an accommodation around those five points, declared that they would initiate a constitutional round called the Quebec round, which would be designed to repair the omission of Quebec in 1982 around those five points. All the first ministers of Canada at that time unanimously directed that other important issues should be put for a time to one side so that this historic omission could be corrected.

Following the Edmonton declaration in August 1986, which was public, there were negotiations, there were debates, there was a series of articles in the press—none of this was going on in secret—about the five Quebec proposals. In April 1987, at Meech Lake, the first ministers unanimously established an agreement in principle which set out what was later to become known as the Meech Lake accord. That agreement was released to the public, greeted with very considerable approval at the time, was circulated widely and was the subject of editorial and news comment.

In June 1987, the Meech Lake agreement in principle was reduced to a detailed accord, which is called by the name of the agreement in principle, the Meech Lake accord. The Meech Lake accord again unanimously represented the views of the government of Canada and all ten provinces at that time.

In November 1987, a select committee of this Legislature, after hearings and after the consideration of a wide variety of points of view, approved the Meech Lake accord, or the Langevin accord, and set out its views about the agenda that should be adopted following the approval of Meech Lake. I have no hesitation in telling the honourable members that the work of the Ontario select committee was widely noticed across Canada, and in other legislatures became a kind of focus for the work of review that they were at the same time undertaking. It was not long before the government of Canada and seven legislatures had approved the Meech Lake accord, moving towards the deadline, which in effect, is constitutionally imposed, of 23 June in this year.

1600

In the meantime, of course, three governments that had not participated in the negotiations which their predecessors had participated in were elected in Manitoba, New Brunswick and Newfoundland. Each of those governments expressed reservations, either about parts of the accord that their predecessor government had approved or about the agenda that should be adopted by the governments following the enactment of the accord or about the extent to which that subsequent agenda should be made contemporaneous with the accord itself.

The honourable members will know that for three years we have had in this country, on television, on radio, at public meet-

ings and in schools, the most protracted and elaborate discussion of a constitutional accord that has probably ever taken place in the country. As we approached the deadline, constitutionally imposed, to approve the Meech Lake accord, a conference was called—a dinner actually—by the Prime Minister.

There was very great fear that the three governments which had not yet ratified the accord through legislative action might be unwilling to do so. That, as honourable members will know, set up the agenda for the meeting that took place last week. The government of Ontario, reflecting, I think, the attitude of this Legislature and the bipartisan nature of the process in which we have here been engaged, took the view that while there were a series of important and modest corrections that could be made to the Meech Lake test, our primary obligation must be, if it could be, to legislatively enact the constitutional amendment that was entitled the Meech Lake accord and, to whatever extent was necessary or appropriate, to establish the post-Meech Lake constitutional amendment.

That was the exercise in which we were involved last week. I am happy to say, though options are not entirely foreclosed, that a favourable result was achieved. The parties to the agreement agreed to introduce the Meech Lake accord for enactment in those three legislatures which had not yet enacted it. Each of the signing parties, in addition, agreed to enact certain amendments of an important but relatively minor nature, and each of the signing parties agreed either to constitutionalize or, in political terms, to commit themselves to an agenda for the future which involved Senate reform, an examination of a Canada clause, entitlement to an aboriginal constitutional round and a series of other constitutional initiatives.

For those who were honoured to participate in the work of the governments last week, it was a tiring but rewarding, and I believe, historically important experience. We led, on behalf of the government and this Legislature, a team of very distinguished public servants and a team of representatives of the community and of the constitutional law community that was probably more sophisticated than any that had ever previously been established for such a purpose. It was a great honour and a useful experience to have both the Leader of the Opposition and the leader of the third party participate with us, as members of our delegation, in that process.

The setting for the conference at the beginning of the week was simply this. Seven provincial governments and seven provincial legislatures had already legislatively enacted the Meech Lake accord. The government of Canada had done so. Unanimity was required and three governments and three legislatures had not enacted it. I think it is a fair comment to say that probably by Tuesday it was apparent that the government and Legislature of New Brunswick—in New Brunswick, they are virtually the same this year—were able to act and indicated publicly that they were prepared to do so.

So by Tuesday we had about nine governments and legislatures on side, and two, Manitoba and Newfoundland, which were not prepared to support. As honourable members well know, each of them had raised objections about the accord, about the succeeding agenda following the accord, or both. Honourable members will also be aware that the conference was confronted by a unique phenomenon in Manitoba where the first minister was not able to speak for a majority in the Legislature, as most first ministers usually are. That reality imposed a dynamic on the conference that was unusual and difficult for that first minister and for his colleagues.

The conference was long. It was conducted in circumstances of very great pressure and difficulty because of the 23 June

deadline, which, I have already noted, is in function imposed by the Constitution. But it was productive, and honourable members will have before them in the committee the agreement itself, which will show the amendments that are proposed to the accord and the agenda for constitutional discussion that we are bound to undertake, following the Meech Lake accord.

As a participant in that exercise, I hear the concerns of those who say that it took too long and was conducted in circumstances of very great pressure. I am sympathetic to that. I add only that among those out there who complain the most about its length are one or two who caused its length to be what it was. I do not say that critically of any government, because governments have the authority to run the process as they think best.

But as I say, by Tuesday there were nine governments in support. By Friday there were 10 governments in support when Mr Filmon said he believed an acceptable accommodation had been made. By Saturday night I believe there were at least 11 governments in support of the proposition to introduce the Constitution in their respective legislatures.

I hope the members of the committee will move to consider the agreement quickly. I assure them and this Legislature that the Ministry of the Attorney General will be delighted to provide whatever assistance is necessary to the Chairman or members of the committee to expedite their work.

We have come, after some eight years which commenced in 1982, to the culmination of a very great work: the inclusion in our constitutional family of a province, and one of the original cultural groupings in this country is found in that province, which has perforce been excluded by the action of the government of Quebec in 1982.

1610

A new government exists in Quebec. A new time exists in Quebec. Quebec has, since 1982, on at least three occasions said yes to the rest of Canada: "Yes, we are ready to undertake this experience with you. Yes, we are ready to do it if these modest accommodations can be made. Yes, we believe that with these accommodations a new start can be made."

I know, because this matter has been debated on a bipartisan basis before, that this Legislature is prepared to say yes to Quebec. I believe, hope and pray to whatever gods there may be that other legislatures in this country will have the determination and will to say yes in the same way.

Before I sit down, I just add one important note, or I believe it to be important. Canadians will not want to regard this as the end of a voyage, though naturally, looking at the history, one thinks of oneself as having reached some kind of culminating stage. It is in one sense the end of an era which is represented by bringing Quebec within our constitutional family, but it is the beginning of a new era, a new era in which Quebec and the other provinces will have more constitutional change, as the agenda for the future makes plain, will have more adjustments to make about how they live with one another and will have more challenges to confront.

I hope no honourable members find that depressing. If they do, they would be wise to look at the history of this part of the non-American North American continent since the American Revolution. Since that period of time, groups of people living in what is now Canada have from time to time been obliged to make a wide variety of political and constitutional adjustments about how they would live one with each other. Indeed, the British North America Act, which was hotly debated in 1863, was seen as that kind of adjustment, and there will be more.

So on this day when I hope we will send this agreement to committee for approval, I join with all honourable members here in saying to our compatriots in the province of Quebec, "Thanks to your efforts, Quebecers, in 1985 and 1987, we are now able to say yes to you as you said, then, yes to us." We do it not as a symbol that the end of a hegira has occurred, but that we have provided an opportunity for all Canadians in Quebec and elsewhere to begin a new and important voyage into our national future.

Mr Breaugh: We want to lend our support to the resolution.

I think all of us who are practising politicians spent at least part of last week watching the proceedings in Ottawa. It was kind of like turning on Hockey Night in Canada and before the game starts, somebody announces, "Sorry, there will be no game tonight, we're going to give you three hours of Don Cherry's opinions."

There was something missing. The nation was ready to observe a process. However right or wrong one feels about these things, one had to admit that they set the stage rather grandly, that the chairs were arrayed, the flags were out, the television cameras were there, the commentators were present—and the players were missing. They were elsewhere. Somehow many, I think, like me, felt cheated by this process, that we had a right in a democracy to see the process unfold in a better way than was presented to us.

There are good reasons and bad reasons for doing things in this way. All of us who have ever negotiated anything, whether that is a union contract or negotiating on behalf of a municipality or negotiating an agreement among political parties here at Queen's Park, we all understand that there are times in the process of negotiations when you are not well served by being in the public eye, that there will always be an occasion when you need to kind of step back from the glare of television cameras and careful examination and freely exchange your points of view.

But that is not much in the way of a major defence for what transpired last week, and for those who say, "Well, we were bound by something like a Constitution to do it that way," I would beg to differ. I would agree that a certain amount of private negotiation is always necessary, but you cannot conduct the business of a democracy in private. It is unfortunate, but it is a lesson that every politician must learn, that your chances of success diminish greatly by the amount of privacy that you use in getting to that process.

Those of us who have served at a municipal level know this: When you are proposing to build a road through some part of your community, you may not want to have a public hearing on it. It may be one of the most unpleasant experiences you ever go through. But if your case is good, you have to take it to the people and tell them why you are doing that and you have to do that in public. If you are going to expend large amounts of money to build a new arena, you have to explain how you made your decision, in a public way. The only chance you have of gaining acceptance from your community is to allow it the opportunity to see what you are doing, to be participants in that.

For those who are calling now for a change in the process, that is a basic, that is a fundamental thing. It is not that you have public hearings because you like to take abuse from people whose views are different from yours. It is because you understand that in the long run, without that public access point, you stand no chance at all of succeeding in your arguments.

That is a lesson that needs to be learned in this country. What struck me as odd last week as I watched the proceedings

was that it was as if 11 of the most important politicians in Canada have not learned that basic credo of democracy: You cannot do it all behind closed doors.

In Ontario, in Manitoba, in New Brunswick, and lately in the federal government, they understood that. In each of those places they did the public part of the process that is necessary, they went out and they listened to their population, they assessed what the priorities were, they picked what they thought were the most important things that needed to be acted on and put them in a public report and tabled those documents.

If what happened in Ottawa last week was the natural culmination of those processes coming together, then that would be roughly what the Ontario committee suggested as a reasonable way to proceed and people in this country would understand what the 11 first ministers were trying to do.

But unfortunately for the old Meech Lake accord, what has transpired is that the 11 leaders struck an agreement and then they let everybody else, most of whom, I am sure, have never read the agreement, explain what it was all about to the people in this country. You cannot win that way. You cannot get the population to understand what you are even trying to do that way, and it runs directly against the democratic process that we are supposed to be about.

I think when the Ontario committee went through this process, we got some sense of the anger and frustration that is out there. I do not suggest for a moment that we were able even to address all of the concerns, but at the end of the day people had an opportunity to present their point of view to a committee of this Legislature and at the end of the day the committee had argued out what it thought was a consensus position. It did not accept everybody's point of view. It got as much as it could and it did so in public and it tabled a public document for discussion.

1620

One of the things that I regret from last week's experience was simply this: We did that more than two years ago, and at that time we suggested that we had not found all of these solutions either, but here was our first run at finding solutions and here are some things that this Legislature can do—and we did them—and we suggested that they be forwarded to every Legislature in the country and that they do the same thing. If last week had been a culmination of a series of hearings across the country for the last two or three years, those proceedings in Ottawa would have been viewed quite differently than they were.

I listened to the Attorney General today talk about the CBC and The Journal's attempt to kind of pull together people from across this country. I watched the same program. I came to somewhat different conclusions. I saw ordinary Canadians from different parts of this country talking to one another, and they did not come up with easy answers, because there are none, but they did come up with some level of understanding of what this nation is all about.

That is the first thing that is apparent when you talk to Canadians: They do not know their own country; they often do not even know their own community. I saw the young gentleman from Oshawa who was on the program. He was really quite unaware of things that were happening in his own city, so it is a bit of a reach to expect him to understand what is going on in Quebec or British Columbia or in the Yukon. But at the end of the process, he had some sense of how other people in this same country see it a little differently than he does.

There are some who feel that there is no sense of bigotry in this country. What a silly notion, that this nation could be so pure that we would not have any bigotry or any racism or any hatred among us. What a silly, naïve concept that is. Of course it is here. We can pretend not to see it; we can pretend that we do not have to do anything about it; but to be so stupid as to think it is not here is really quite bizarre.

Of course it is here, and of course there are many things that we have to do now that we really wish we did not have to. It would have been nice, for example, if in Metropolitan Toronto 10 years ago, when everything was nice and calm, we had started to talk about race relations and the role of the police in a community that is changing and prepared for that. But we did not, so now we will try to do it after the fact.

I listened with great interest last week to a lot of people talk about a crisis in the country. For some, that is a very real crisis. For some, there was the spectre of a breakup of a nation right before your very eyes, and many of the people I talk to are confused about that. They do not see a crisis where they live. They have a crisis in their life about losing their job or a daughter or a son with a problem or something that has really gone wrong in the neighbourhood, but they do not spend a lot of their time thinking about the nation. Those who do seem to be grabbing on the idea that there is something of a crisis proportion at work here and if you do not somehow agree with this accord, this subsequent agreement, the nation breaks up. That is a terribly threatening position to be put in.

I watched somebody whom I would not vote for but whom I respect a lot, the Premier of Newfoundland and Labrador, and it seems to me he got himself painted into the worst possible corner that any politician ever could. He took away his opportunity to voice dissent on an agreement by accepting the notion that anybody who dared to not sign that agreement was somehow unpatriotic.

That cannot be, can it? Is it so wrong in this country that you must accept the prevailing wisdom, that you cannot say, "No, I don't agree with that," or you become a traitor of some sort? Is that what this nation is about? Boy, I hope not. As one who has been a dissident for a long time in a lot of different places, it had better not be.

Interjections.

Hon Mr Scott: We're going to deal with you, but not that way.

Mr Breaugh: Well, I reserve the right to say I do not agree with things from time to time, and as all of us who are practising politicians understand, I would not be a New Democrat if most of the time I did not agree with the New Democratic Party. I would probably have to join the Attorney General, and that would be a terrible thing for me to do.

A lot of us in Canada now have to deal with something that we do not want to deal with, and that is called the Senate. Most of us have not spent a lot of time thinking about the Senate. Some of us, for example, members of our constitutional committee, have been to Ottawa. It is an interesting place to visit.

You ask different senators, "What is the Senate?" and you get completely different answers: "It's a place to think about stuff." "It's a place to study things." Some say it is a full legislative chamber. So I think at the end of my interviews with the senators, I would have to say, "It's whatever you want it to be."

Some have grabbed the idea that now maybe democracy should break out in the Senate of Canada; they should be elected. Then the next logical question is, "If they're all going to be elected, what are they going to do?" Do we really want

two chambers at the end of the hall, both elected, both with full powers, to have noon-hour meetings? Right now when there is an impasse between the Senate and the House of Commons, they send one another little notes—it is kind of at that level—or they go and have a discussion. So there is not a great problem now, but it could be in the near future that we are all collectively, as a nation, going to have to think about what the Senate is going to do.

Fine, they should all be elected, great stuff; fine, they should all be equal; fine, they should all be effective; but what are we going to do with the House of Commons then? One of these two bodies may become redundant, and I do not think the House of Commons has in mind that it should fold up shop and go away.

Let me get on to some things that I think are beginning to grind at the country. I am not one who advocates that there is a crisis afoot here; I really do not. In the Canadian Tire store things are fine. The whole Midtown Mall is operating as it always should. People are playing softball; they are having a good time; they are not worried about the country breaking up. I have to say to them that there are some problems that we are going to have to think about, but they are not of crisis proportion yet. They could get that way.

If we do not find some way to deal with the treatment of aboriginal peoples in this country fairly and thoroughly, finally, we really ought to give up in disgrace. We have been at that for more than a century. We have not yet come to grips with that. That is a must.

If we have begun to stir up among the women in this country some great feeling that they are equal to all the men in this country, then you cannot come back at them with some agreement which seems to threaten that. So that must be rectified.

If you are going to talk about a multicultural nation, you are going to have to address that. In the discussions last week they talked about—I believe the new technical parlance for it is a Canada clause. What is Canada? That seems to be a problem. We have not quite sorted that out. Some seem to be in favour of multiculturalism; some seem not to be. Some seem not to have accepted yet that there is a French fact in this country, that there always has been, that we have had arguments and wars and elections and referendums and everything else you can think of to sort that out and there still remains a French fact in Canada, as there always has been.

Is it too much to ask everybody, not to love that, not to embrace that as a great, wonderful thing, but to simply respect that? Because that is what I sense is missing in this nation at the moment, and part of it goes from the top of the country to the bottom of the country, to the very foundations of this country of ours. People are losing respect for one another, respect for their political process, and most of all, respect for those people they actually voted for. We cannot survive if we lose that one.

I think part of the problem is the way the original Meech Lake accord was presented to the nation. If you go home tonight and you say to your eldest son, "This is your round; you get the car tonight," I know what my daughter would say to me: "What do you mean he gets the car tonight? Why don't I get the car tonight?" You go through all of that kind of internal argument in a family whenever you say to one person in the family, "Well, this is your round and everybody else will have to wait their turn to get their round." The Meech Lake accord was presented broadly in the nation as being Quebec's round. My own colleagues used that terminology.

All of that is true, and all of it should be, but certainly somebody should have thought of how that will be received by the nation. I think it was put forward in too simplistic terminology. The country quite rightly said, "Well, what are they getting?" When you read the Meech Lake accord and you find out that Quebec does not get any special powers in the Meech Lake accord, then people ask the logical question, "Well, if they don't get any special powers, how come it is called the Quebec round?" We, as politicians in this nation, did not do a very good job of explaining what was actually in that first accord.

I do not think the nation has come to grips with language rights at all. I think in the Ontario experience of providing rights for our francophone minority we have struggled with how you present that to the population as a whole and, by and large, we have stepped back and let those who are opposed to that notion hold forth with their views. We need to find a balance in all of that.

1630

What I think is missing in all of this goes back to the original thought of the process that is involved. Those of us who hold public office in some forum—whether that is in a little, rural municipality or whether that is in the Prime Minister's office in Ottawa—ought to understand the basics of how the democratic process works. It does not work at all when the public cannot see what the politicians are doing, even if you are doing noble deeds, even if you are working long hours, even if you are really giving it your best shot. The public in this nation has a right to see what your best shot is. If you do not do all of that with some large measure of respect for people who are of opposing views, the worst part is that you generate a lack of respect for yourself.

This place that I love, this old, haunted joint full of thousands of ghosts who have schemed and thought about what is the best thing for Ontario and made great speeches about all of that, does not work at all when you lose respect on both sides of the House. A government—and I have seen lots of them in here now—that loses respect for the opposition soon finds that gets it on a slide in a hurry. Once the government loses any respect for the opposition parties, the opposition parties say: "What are we, stupid? We're not going to stand around and respect those guys. They just called us a lot of names." So they give it back, and soon you find that the whole place degenerates. It does not work any more.

A parliamentary democracy is based on a funny premise: that we are all honourable members. Whether that is true or not, if you want the process to work, you had better work on that assumption. You had better give them the benefit of a doubt. You had better make sure that they can say no to your fine idea. The challenge for you is to defuse their argument, to refute the argument that they are putting forth without casting any disrespect on them, because at the end of the day, there is another day. You might have dumped all over somebody the day before, but he will be around to get you the next day.

Part of what I saw as a major flaw in what went on last week was simply that the process was a wrong one. One can defend it. One can say that it is part of the Constitution. One can say a whole lot of things. What I am trying to put to members is a simple message: It is not just a wrong process; it is one which is destined for failure.

Part of what I saw from my experience in political life—and I saw it in our own legislative committee when we looked at the Constitution—is that the way the parliamentary process works is that somebody plays the government, and it takes the

initiative and it turns to its friends the lawyers and says, "Draft us a bill that says we want to do this." It is as clear as that. Someone takes the initiative and says, "This is what we want to do," and then turns to the staff, one set of lawyers, and says, "Tell me how we word that." Then we come in here and we have an argument about that. That process works. It is a flawed one, it is an awkward one, but it has been around for a few thousands years. It works.

It does not work when there is nobody taking the initiative, when there are 11 equals sitting around armed with lawyers and consultants and spin doctors and all of that stuff. That produces some kind of—I do not quite know what to call it, but it is not a process of government. It is a process of argument that runs in circles. You cannot guess who will argue what before the Supreme Court of Canada 20 years from now. You can try to do that and you can theorize about that, but it is not a very useful exercise. Some of what I saw going on last week was just exactly that.

It comes down to very basic things which I hope will happen here when we refer this motion out. We do not have a big problem here. We have to refer this motion to a committee and have a set of hearings and listen to the arguments and report back. We do not have to ratify the Meech Lake accord and do this. We do not have to have referenda on all of this. We simply have to use a process that most of us are comfortable with.

That is why I could not believe it at the 11th hour of the seventh day when I saw the 11 first ministers sitting around saying, "Well, there's something wrong with the process, but we really don't know how to fix it." They do not know how to strike committees? They do not know how to hold public hearings? They do not know how to put together reports that are tabled and discussed in legislative chambers? Sure they do. They chose not to, and I regret that.

People say, "We were locked into this format from 1981." Maybe they were and maybe they were not. It was possible for Ontario to hold public hearings on the Meech Lake accord. It was possible for Ontario to put forward resolutions on the accord, to table a report and to have a debate in this legislative chamber. Why was it not possible for every other legislative chamber to do that? Simply because they chose not to. Why was the basis of this latest round of discussions not coming from those legislative reports? Simply because people chose not to do that.

I caution people in this country who value this nation: We had better start hearing from them. We had better start hearing from ordinary Canadians, like those who appeared on *The Journal* who think this country is something special. For me and, I suspect, most of the members in this chamber, we are all immigrants. We just came here at different times and from different nations in the world. We have all enjoyed immensely the opportunity that is here. This is not a nation that is without fault, but it is a nation that has opportunities that few people ever have. It is worth preserving.

Whether one agrees with the idea of Canada as a multicultural mosaic or not, surely that is something that is worth a try. Surely that is something that is worth giving our best shot. Is it so hard to generate respect for one another? If that is an impossible task, we are in deep trouble.

I support the resolution. I went through, as many members on the standing committee on the Legislative Assembly and others, I am sure, the Meech Lake accord and listened to arguments on all sides. In the end, the judgement here was similar to that in other legislative chambers. There were things wrong with that accord but there were ways to improve it, and we

made our suggestions as to how that might be done. If it is left just to sit there until the next crisis is generated, we have done us all a great disservice.

One could not watch the proceedings last week and not feel that this Prime Minister was determined to do something that the previous Prime Minister could not do and that he was driven with all the skills and power of the federal government to do something that was better than what Pierre Elliott Trudeau had done. I do not begrudge him that for a moment. I do not begrudge him any instance of the power and influence that he had.

I had some great sympathy for people like Clyde Wells, who I am not sure operate in that same milieu in Ottawa that I saw going on there. One of the saddest moments that I recall was on the Saturday evening when the Premier of Newfoundland and Labrador was being taken from the conference centre to his hotel. I watched the video of that several times because he said a few things on the way out. I do not know whether everybody heard what he said, but I know everybody saw the Premier of one of our provinces—and it had everything about it that you see on a cop show. It looked as if he was being hustled off to jail.

I watched various first ministers come out after their daily rounds of negotiations to what we would call outside the doors of this chamber a scrum, and I could not help but think: "These people have something to say. I want to hear them. I do not want to hear people yelling obscenities because there is a national TV crew there. I want to hear what this Premier has to say."

I thought: "That is not the way to go about this. That is not the way to have a reasoned and rational argument. This is some kind of media circus." I felt sorry for those who were paid to stand in front of that building all day long for seven days and report that nothing was happening yet. It must have been the toughest job in the country.

Like most of us, I hope, in this chamber and most of the people I represent, I think that this nation is kind of a special place. It is not without fault. It has a lot of things that are wrong with it, but it also has a lot of things that are right about it. It is a nation that is worth saving. But as we go through this process, surely we must find ways so that those who want to disagree with us can do so freely and we can respect their opinions, because I am concerned that it will do us no good to pass this resolution this afternoon to ratify any changes that were made in the Meech Lake accord if the population as a whole does not understand what we are doing. We may have won the argument and lost the war. I am concerned that that may be what happens.

1640

I hope that the committee attempts to accommodate virtually everyone who wants to appear in front of it. I know that will be difficult. I know it will not be an easy job at the best of times. But I have some hope that in this legislative chamber we at least give the public an opportunity to voice its opinions on the Meech Lake accord, we at least give it an opportunity to see what our resolutions on the matter are, we at least give it an opportunity to listen to our suggestions about the process.

That is something I am familiar with. I understand all of that, and so should every elected politician, man or woman, anywhere in this country. That process is called democracy. That process works. It is kind of awkward from time to time; it puts you in places where you would really rather not be. But in the long run, that is what will carry the day. I hope that is what this resolution will do for the Ontario Legislature once again.

I do not think there is a crisis in this country. I think there is a crisis in some people's minds about what is going on. I hope people recognize that there are many different parts of this country and many things worth preserving about it. It is my country. It is something I care about. It is something I feel very strongly about.

I wish sometimes that I could go to an event where everybody at the hockey game actually knew the words to O Canada, but I have not been to one yet. I watched a television clip yesterday of people who were in front of the Legislature on the weekend supporting Canada with the Canadian flag, with the Quebec flag, with an Ontario flag. They wanted to sing the national anthem and they had to have copies of the national anthem in front of them before they could sing it in English or in French.

I do not believe in jingoism, I do not believe a whole lot in symbols, but it does strike me that in every part of this country it would not hurt anybody just to feel a little bit proud that we are Canadian, that we are distinctive. I sense every once in a while that the great Canadian modesty is leaving us, and I really do not mind that. I think people should be proud of their country. I think they should recognize that there is a price for having a country like Canada, and the price is you have to give some respect to other people, people who you do not like, people who you do not understand, people whose language you do not speak; and they do not ask for much more than that, just simple respect.

I hope we can get there. I think we can get there. I believe the democratic process is strong enough to carry the day. I hope that is what our legislative committee in Ontario does. I do not believe for a moment that what was proposed in Ottawa last week is going to be an easy thing to accomplish. I think it is possible to have all of those words agreed to—that is not the problem. The problem is, will the people of this country understand any of those words and care enough to respect them?

Mr Eves: It is a pleasure for me to participate in this debate on behalf of our party in the Ontario Legislature. I might say at the outset, as our leader said earlier this afternoon, that our party, of course—and I presume all three parties—will be supporting the resolution that the Attorney General has put forward here this afternoon.

I would like to comment, I suppose, as we go through this, and I would prefer to take the Premier's statement of this afternoon and go through the three phases that he outlines following the agreement that was reached late last Saturday evening, after some seven days of debate by the 11 first ministers of the country of Canada.

First of all, I think I would also like to say a few words about the statement made by the leader of the official opposition here this afternoon, in that he has some concern about trying to deal with this whole agenda of issues between now and 20 June. I certainly do appreciate the very real concern he has about that. A week is certainly not enough time for any committee to hold public hearings and delve into the important matters that we are going to have to deal with within the next eight or nine days.

I suppose, though, we here in Ontario are a little bit at an advantage or privilege because of the fact that we have had a select committee on constitutional reform that has dealt with some of these issues at some length going back to 1987. Of course, as all members are aware, we submitted our report in, I think, a very non-partisan way in June 1988, some two years ago.

Going over the Premier's statement of this afternoon, he chose to break down the conclusions or the result of the meetings in Ottawa last week into three parts. I will deal with them each part at a time.

"In the first part," he says very succinctly, "the premiers of New Brunswick, Manitoba and Newfoundland undertake to submit the constitutional amendment 1987," otherwise known as the Meech Lake accord, "for appropriate legislative or public consideration and to use every possible effort to achieve decision prior to 23 June 1990," which we know is the date the 11 first ministers agreed upon going back to 1987.

I do want to say that I appreciate, I think, the difficult position that the Premier of Newfoundland finds himself in today and the decision that he made earlier today, and that is to put this question, which was not his preference, I might add, to a free vote in the Legislature of Newfoundland.

We have heard all kinds of individuals speak over the last seven or eight days about putting Canada first. It must be very difficult indeed for the Premier of Newfoundland, who holds some very sincere convictions about the Constitution of Canada and what he thinks it should say, to have agreed to the agreement that was reached this past weekend, because I know, and he has stated, that he has some personal reservations about some components of that agreement. And not only that: He has made a commitment virtually that he would put this matter by way of referendum to the people of Newfoundland, but he is willing to put the interests of Canada before his own personal beliefs and he is willing to put the country of Canada before what he considers to be the appropriate process for the people of his province.

I think that says a lot about the spirit of co-operation that was reached among the 11 first ministers in Ottawa last week. I do not appreciate some comments that have been made by individuals that perhaps the Premier of Newfoundland is to be blamed for any lack of agreement on what the final wording of the constitutional amendment will be. I think he and the Premier of Manitoba in particular have gone that extra mile in the spirit of co-operation to put Canada and Canadians first. Also, the Premier of New Brunswick, whom we must not forget, of course initiated for the first time in a very real sense—at least among the 11 first ministers, although there were those of us who suggested this solution some two years ago—the idea of a companion resolution which might be acceptable to all 11 first ministers in this country of Canada.

Before we get on to the issue of the second part as outlined by the Premier, the companion resolution, I would like to say a few words, however, about the "distinct society" clause because I think it is probably at the root of all disagreement that there has been, if any, among the 11 first ministers with respect to constitutional change.

There seems to be an agreement in principle among all 11 first ministers that the "distinct society" clause does not derogate or take away from any individual Canadian's rights under the Canadian Charter of Rights and Freedoms. Everybody will say that verbally, yet when it was suggested by three premiers that it be reduced to writing, there was some great apprehension about changing one word, one comma, one phrase in the Meech Lake accord.

I do not know for the life of me what that reservation could possibly be, but I have to accept as fact that it was not possible, that the 11 first ministers could not agree to change the legal wording of the Meech Lake accord with respect to the "distinct society" clause.

1650

I go back to the constitutional reform committee hearings this Legislature held in 1987 and 1988, which I sat in on with my colleague the member for Nipissing for many, many weeks, in fact months. We had many people appear before that committee who had the same doubts about the "distinct society clause" as Premier Wells has, as Premier Filmon had and as Premier McKenna had.

One of those individuals who appeared before the committee was a quite renowned barrister and solicitor in Canada by the name of Morris Manning, who offered to the committee his services for no charge. He felt the country was important enough and the Constitution of the country was important enough that this thing should be done properly.

He drafted a court reference in which he asked the province of Ontario to refer it to the Supreme Court. I must say that Mr Manning is certainly not a Progressive Conservative. He did this in a very non-partisan way because he was putting Canada first. For whatever reason the majority of members on that committee chose not to adopt Mr Manning's suggestion of a court reference, despite the fact that he tailored the court reference almost identically in wording to the separate school funding reference which this very government in Ontario submitted to the Supreme Court for interpretation after it had decided to proceed by order in council with respect to separate school funding. He drafted it in accordance with a similar reference, the patriation reference, about the Constitution Act of 1982.

I thought that his suggestion with respect to a court reference and his draftsmanship of the same made abundant sense. Perhaps if we had agreed to do that in 1988 a lot of the discussion which took place in the last week and the last few weeks would have been totally unnecessary because the Supreme Court would have already given its interpretation and its decision with respect to how, if in any way at all, an individual Canadian's rights under the Canadian Charter of Rights and Freedoms would be affected by what we know as the Meech Lake accord. Be that as it may, the province of Ontario chose not to take the lead in 1988 on that particular issue and we found ourselves in the position we were in last week.

I would now like to go to the second part, as the Premier describes it, of the process, or the agreement that was reached over the past week, the issue of a companion resolution containing additions that will build upon the accord. There are those of us in this Legislature, particularly with respect to our minority opinion that we wrote, which I referred to, who believed that companion resolution was the way to approach this problem from the very outset, going back to 1987. This is not a partisan statement on my part. Among those who suggested a companion resolution who appeared before the committee was Donald Johnston, the former federal Liberal cabinet minister. This was not approached in a partisan way at all, but as a very practical, commonsense approach to a very difficult problem, to try to address the very real concerns that many Canadians had with respect to the initial draft of the Meech Lake accord.

As everybody has said, it is not a perfect document. I do not think there is such a thing as a perfect document, but if we all agree in principle what we mean, surely we can agree to somehow reduce that to language which comes as close as possible to saying what we want to say and to protecting individual Canadians' rights in the future.

With respect to the "distinct society" clause, the Premier makes reference on page 2 of his statement to the legal opinion that is attached as an addendum to the companion resolution agreement which was agreed to last weekend. It is attached as

an addendum but the agreement itself, I might point out, does not comment on the "distinct society" clause. I want to point out, being a lawyer myself, that the legal opinion is just that: It is an opinion. It has no basis of concrete effect whatsoever. It happens to be the opinion of six noted constitutional experts, yes, in the country of Canada. I dare say there are six just as noted constitutional experts in Canada who would disagree with the legal opinion that is attached to the companion resolution agreement that was reached by the 11 first ministers last Saturday evening.

That is why my colleague the member for Nipissing and I pressed so hard in 1988 for a Supreme Court reference on this matter. That would be a definitive statement of law by the highest court in this land, not a legal opinion from six lawyers. We can go across the street and get a different legal opinion from six other constitutional experts. I do not think that legal opinion, quite frankly, does anything with respect to the interpretation of the "distinct society" clause in the long run for the Constitution of our country.

Having said that, I would like to go on to the other changes that I think were addressed in a very positive manner by the 11 first ministers who met over this past week. Sexual equality rights are an issue that was brought to our select committee here in Ontario over the course of many months of public hearings. I am glad to see that the 11 first ministers have at least agreed now to put this in a companion resolution so that these sexual equality rights will be protected by adding section 28 of the Charter of Rights to section 16 of the accord.

Despite the fact that I know there are many legal authorities in the country who feel that this is not necessary, the concern that was shown at our committee hearings here in the province, and obviously conveyed to the other 10 first ministers of Canada as well, was impressive enough that all 11 of them have now agreed to include this in a companion resolution. I think that was an oversight in the original accord, or at least a matter that needed more clarification. I am happy to see that all 11 first ministers have agreed to include that in their companion resolution.

I think the amendment to permit territories to submit names for appointment to the Senate of Canada and the Supreme Court of Canada is an improvement whose time is long overdue. I know there were many concerned people who travelled many distances from the Northwest Territories and the Yukon to appear before the Ontario Legislature's committee on Senate reform to indicate that somehow they felt they were made to be second-class citizens if they did not have the same rights and privileges as any other Canadian, regardless of where he or she lives in this great country of Canada. Surely if you happen to be a Canadian who lives in the Northwest Territories or the Yukon, you have just as much right to be appointed to the Senate or the Supreme Court of Canada as any other Canadian living in any other part of Canada. For the life of me, I do not know why the 11 first ministers could not see that in 1987, but I am glad they have seen the light in 1990, some three years later.

I am also very pleased to see that the process for discussion of aboriginal constitutional issues will be entrenched in the Constitution, so that hopefully we can finally take the last steps down the road to the long-outstanding issue of aboriginal self-government in this country. This is an issue where I am proud to say, as a former minister, albeit for a relatively brief period of time, with respect to native affairs, it is an issue, in a very non-partisan way, where every successive government in Ontario has taken a lead in Canada with respect to aboriginal rights

and self-government. Ontario has led the way in this area and I have no doubt that it will continue to lead the way.

Now we have a mechanism that is going to be addressed by this companion resolution and hopefully addressed in the Constitution of Canada itself, where this long-outstanding issue to give equity and a sense of fairness to our aboriginal people can finally be addressed and addressed in a mechanism which will be included in the Constitution of Canada.

Minority language rights will be added to the agenda of future constitutional conferences. I am glad to see in the companion resolution, which was attached to the Attorney General's resolution here this afternoon, that this issue is going to be addressed by the 11 first ministers as well. Hopefully it as well can be made part of the Constitution of Canada. I think that is a very important recognition we have to make.

1700

There are a couple of issues that I would like to touch upon, which I think could have been addressed very directly with respect to a companion resolution, and perhaps a little bit more succinctly or definitely than the 11 first ministers have chosen over the last week.

Going back to our own select committee here in the province of Ontario, which had hearings for many months, one additional clause that my colleague the member for Nipissing and myself suggested should be added by way of a companion resolution to the Constitution Act was the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada. The 11 first ministers still have not gone that far.

Also, with respect to the multicultural nature of this great country that we call Canada, the recognition of the multicultural nature of Canadian society, and in particular respect for the many origins, creeds and cultures as well as the differing regional identities that help shape Canadian society, was another suggestion that our minority report made to the select committee on constitutional reform of the Legislature of Ontario, which for whatever reason was rejected by the majority of members of that committee.

Those were not words that the member for Nipissing and I dreamed up out of our heads. Those were words that were suggested to us by the many, many delegations and individuals who appeared in a very concerned and forthright manner before the committee of the Ontario Legislature. They are ones that we think make abundant sense and they are ones that we think, or at least we hope, all 11 first ministers will now address in a very forthright and concrete manner and adopt into the Constitution of this great country called Canada.

I want now to go for a few minutes to the third part of the agreement as outlined by the Premier in his statement this afternoon. The third part of the agreement, as the Premier states, sets out an agenda for the second round of constitutional discussions. All governments have agreed to draught a clause providing for a more complete recognition of the Canadian reality, such as our multicultural heritage, the role of aboriginal people and our commitment to the equality of all Canadians.

Oddly enough, as I have pointed out, those are the very matters that I have just been talking about for the last several minutes. Those are the very matters that our minority report suggested this legislative body adopt in 1988 and the very matters that the majority of this Legislature voted against when it refused to accept our minority report in 1988. Now here we are, some two years later almost to the day, standing here in June 1990, and all of a sudden all 11 first ministers think that these

are good ideas, that we should be proceeding in these three areas. I am glad we are finally all of one single mind and single purpose—

Mr Kerrio: Oh, oh.

Mr Eves: —some two years later, I say to my friend the member for Niagara Falls.

Now that there has finally been an agreement on the process leading to Senate reform, this is probably one of the biggest stumbling blocks, other than the interpretation of the "distinct society" clause, in this whole issue of amending Canada's Constitution. I have had the privilege, as I have said, of sitting in a very non-partisan way on the select committee, not only when we dealt with the Meech Lake accord, but more recently in the last several months with respect to Senate reform.

We have gone to Ottawa. We have had individuals appear before our committee here in Toronto when we have held public hearings. I understand that we undoubtedly now will be holding a lot more. I do not think that many of us really appreciated how disfranchised Canadians in other parts of Canada, such as Atlantic Canada or western Canada, felt until we had the opportunity to hear from them in a very direct sense about their concerns, about how they feel that they are left out of a lot of the most important decisions that are made in this country and how they feel that this country is basically controlled by the two power bases, the province of Ontario and the province of Quebec, otherwise referred to as central Canada.

I do not think Senate reform is a magical solution to the west's problems. I do not think it is a magical overnight solution to Atlantic Canada's problems. But I think that if it does nothing more than make them feel that they are equal, wanted partners in Canadian Confederation, that they have an opportunity to voice their opinions about issues that are very important to them and may not be in the best interests of central Canada, then we will have gone a long way towards understanding our fellow Canadians and towards addressing that very basic perception, at least their perception, of an inequity that has existed since 1867 in this country.

I see that the Premier refers in his statement to the agreement upon a national commission with equal representation from all the provinces and the federal government that will report back to a first ministers' conference by the end of the year on the progress that is made with respect to Senate reform. They have agreed that the objectives that should guide that commission are the very ones that western and Atlantic Canada have been asking for, that the Senate should be elected, that it should provide more equitable representation for the less populous provinces and territories and that it should have effective powers. I might note that their agreement is more equitable, as opposed to absolutely equal, which of course is what the western provinces and the Atlantic provinces by and large want out of the Senate.

I think the Canadian people would agree with all those principles. I think that the Senate today, as it exists, is sometimes unduly or harshly criticized, perhaps somewhat unfairly, but I understand that sentiment because these people are not elected representatives. They are appointed and there has always been that public perception that they do not in effect represent any particular body of Canadians or region of Canada, because they have not been elected for that purpose.

I think that in electing senators, the perception alone that this would convey to Canadians all across this great country is indeed a very worth while pursuit. As I said, having had the opportunity to sit on our committee here in the province of

Ontario and listen to the concerns of people from all over Canada, I began to appreciate those concerns, appreciate where they are coming from and appreciate the fact that they have not necessarily been treated in their minds as equal partners in this Canadian Confederation for in excess of the last 100 years.

I want to deal just for a few minutes with the Premier's gesture. I believe it is indeed a great gesture of goodwill on behalf of the province of Ontario, coming to the point that if Senate reform cannot be agreed upon by the year 1995, the very worst that can happen to those western and Atlantic provinces is that a more populous province such as ours will give up six or one quarter of our Senate seats—indeed our colleagues in Nova Scotia and New Brunswick will be asked to give up some of their representation in the Senate—so that other parts of Canada, namely, western Canada in this instance, can feel that it is a more wanted partner in Canadian Confederation.

I must say that I hope it does not come to that proposal being implemented in 1995 because I think, and I am sure the Premier and the 11 first ministers agree, that a far more effective way of dealing with Senate reform is to address those three principles that have been enunciated by the 11 first ministers; that is, providing us with an elected, more equitable and effective Senate. I think that is the best way to allay the fears of western Canadians and to allay the fears, to perhaps a lesser extent but to some extent none the less, of Atlantic Canada, and those in the territories of course.

The final point that is made by the Premier with respect to the agreement made over the past week, that all governments have agreed that we have to reform the process of constitutional change, is a high priority. There has to be a full partnership with the Canadian public with respect to how we arrive at constitutional change in this country in the future.

It was stated here earlier this afternoon by the Premier and by both opposition leaders that surely there has to be a better way to deal with reforming something as basic as the Constitution of our country than the way we have proceeded since 1982. I think that the Premier, the Leader of the Opposition and my own leader very appropriately and rightly stated that this is a process we are relatively new at in Canada, which was started of course in 1982 by the patriation of the Canadian Constitution and continued on in 1987.

We saw the same process basically being used again last week in Ottawa, where 11 individuals, albeit 11 first ministers, gathered with their advisers and their teams of experts and tried to hammer out an agreement behind closed doors, and only after they reached an agreement did they inform the Canadian public what was discussed, what went on and what agreement they in fact have.

1710

I think that our process in the future has to be far more open and frank discussion of these very basic issues and principles. These are not partisan political issues we are talking about here. We are talking about the Constitution of the country we are in. Everybody who sat on our select committee on constitutional reform here in the Ontario Legislature in 1987-88—if you check back, Mr Speaker, to the recommendations made by that committee, the committee as a whole and this Legislature as a whole adopted the recommendation that we and other jurisdictions across this country should have a permanent Constitution committee that deals with these issues on an ongoing basis so that we have some continuity and some open and frank discussion going on with interested people in Canadian society, or in this case Ontario society. I could not agree more with the com-

ment made by the three leaders here earlier today that we have to have a more open and democratic process with respect to constitutional reform.

I want to deal finally with the three concerns outlined by the Premier this afternoon. I have just dealt with the first one, in effect, which was the process of constitutional reform. I think that we probably could have done a lot better job, quite frankly, if we had adopted that principle that we said we adopted in this Legislature when we adopted the committee's report in June 1988.

If we had really followed up on what we passed in June 1988, perhaps we would not have been, in the 11th and a half hour in Ottawa, at the last minute, in a pressure cooker trying to agree to something. If everybody had adopted that philosophy in June 1988, we could have used these last two years a lot more constructively towards working to an open, amicable and fair solution for all Canadians with respect to the Constitution of this country.

The second area of concern that I think we must address, which the Premier rightly approaches, is that sometimes as Canadians we have a great inferiority complex. We tend to look at the dark side of things only, as opposed to looking at the brighter side of the picture. I do not know how we got this in our national psyche, but somehow I think we have to get rid of it. Hopefully, we have taken the first step down that road.

I think that Canada is absolutely, unequivocally, the greatest nation in the world. I do not know why we have to be so introspective at times and so critical of ourselves as a country. This is the greatest country in the world, and I think that we should all start treating it as such. We have to address that second concern the Premier so rightly outlined in this Legislature earlier this afternoon and begin a process of national healing so that we can take the step towards providing a framework of understanding and accommodation for Canadians from all parts of Canada. We must have some goodwill among Canadians all across this country.

I believe the last issue that the Premier addressed in his remarks this afternoon was recreating a spirit of understanding, a respect for diversity and trust among all Canadians. I think everybody agrees with that, from every province, from every part, from every territory, from every section of this great country that we call Canada. We have learned a lot over the last 9 or 10 days with respect to respecting and having tolerance for the points of view of other individuals and other regions of Canada. If everybody approaches our task on that basis and in that light, we indeed will make Canada a much greater place to live for many generations of future Canadians.

I would like to conclude my remarks here this afternoon by just reading the conclusion of the minority section of the report, which is not political at all and outlines a basic premise to which we should all be directing ourselves in the future:

"We recognize the importance of Quebec returning to the constitutional fold. The accord will allow that province to finally become a signatory to the Canadian Constitution. It has provided a truly significant moment in our national history and one which we truly welcome.

"However, having addressed the constitutional concerns of Quebec, we believe it is now incumbent upon the government of Ontario and the first ministers to actively address the concerns of many members of our society which were so eloquently voiced before this committee. While a Constitution will always be open to judicial interpretation, all the people of Ontario and Canada deserve to have a Constitution in which they believe they are included as full and equal partners."

Having said that, I would just like to reassure this House that the members of our party on this side of the House will be supporting the Attorney General's resolution. We will be working in a non-partisan sense, as we have throughout the existence of the select committee on constitutional and intergovernmental affairs since 1987, towards addressing these concerns in a very positive, forthright manner, so that we can make people from every region of this great country called Canada truly a part of our country and a part of our Constitution, which serves all Canadians.

Mr Allen: It gives me great pleasure and indeed a sense of considerable honour to be able to rise and to support the Attorney General's reference of the schedule of constitutional amendments to a committee of this House for hearings and then for subsequent decision roughly nine days from now.

I do not want in the first instance to get into the process considerations and discussion that have preoccupied most of the commentary this afternoon, at least not in my first remarks. It has been with a great sense of relief across this country and across this province—perhaps slightly premature, but none the less a great sense of relief—that we now appear to have before us a document, an agreement of first ministers of this country, that will make it possible to put what has become known as the Meech Lake accord into the past and finally to be able to see once more on an ongoing basis at the table of federal-provincial discussions, at the table of constitutional discussion and debate, the presence of the province of Quebec as an honoured and distinguished member of the Canadian family.

I say it may be premature because none of us does yet know what any of the legislatures will do with the proposals that came out of the Ottawa discussions. None of us knows in particular what will happen in the province of Manitoba or in the province of Newfoundland, though we are relatively assured as to what will happen in the province of New Brunswick.

1720

It may well be that those agreements, those resolutions, will have a straight passage in those places and we may well then say: "Alleluia, this is in the past and Canada is whole once more. Canada has said yes to Quebec and Quebec has said yes to Canada, and we may march ahead into our common future."

I want to remind those of us who may think that this will be the end of the road, the end of debate, the end of discussion, the end of controversy, that that will not be the case. In reminding people of that, I want to tell them that this is the seventh time in our history that we have addressed the question of the fundamental relationships of French and English in Canada.

We did it first in 1763 at the end of a worldwide war which was known in its time as a world war. We did it again in 1774, when the issue of the place of the French population and the newly arrived English population in what was to become Canada was adjusted and normalized and when the agreement of 1763 was in effect formalized, so that the presence and recognition of the French language, of the religion of the French in Canada, of the laws, the civil law which was inherited from France among the French, would all be guaranteed and respected. That was an even more tolerant and gracious act of relationship than existed in Great Britain at that very time with respect, for example, to the Catholic population in Great Britain.

It was on such an astonishing and tolerant grant of recognition of a people that this country was launched, only to go through a succession of additional constitutional adjustments. It was decided that it would be better that there be two assemblies

and two constitutional entities, so in 1791 the Constitution Act divided into the provinces of Lower Canada and Upper Canada, which became Quebec and Ontario. For a generation or so that was the way it was.

Then in order to regularize the relationships once more on another basis and to bring those parties into a closer relationship one with another for a whole number of reasons, in 1840 the Act of Union brought them together into the union of the Canadas. In the context of that, open-minded politicians from both sides of that division of Upper Canada and Lower Canada agreed that their legislatures would be bilingual, that they would function on a double majority basis and that there would be equal respect across that boundary.

But that did not work entirely to everybody's satisfaction, so in 1867 we struck another arrangement that would include all of the British North American colonies, which became the Confederation that was to last and still lasts on the basis of the British North America Act of 1867. Again, it was recognized that the French language, the Quebec Civil Code and the culture of the French-Canadian community in our country would continue as part of a respected and honoured and constitutional segment of this great country.

Then when it came to the post-Second World War years and we began looking at a number of the new relationships around the new powers of provinces that were expanding so greatly in education, social services, pensions and you name it, and Quebec wanted to have certain recognition of its special roles with regard to determining some of those matters, like the Canada pension plan, on its own terms, we went through a whole pattern again of discussion on the bilingual, bicultural nature of Canada.

We came to a new set of relationships around the proposition that official bilingualism in Canada should prevail and that the federal government should be the scene in which French and English should meet on equal terms in ways which had not been the case previously, and on that basis we proceeded.

There was a lot of other stuff in the Royal Commission on Bilingualism and Biculturalism which addressed the question of the duality of Canada as distinct from the bilingual nature of Canada, because of course the French existed outside Quebec and the English existed inside Quebec. The federal government largely put much of that dualism to one side and thought it would solve the problem with a national bilingual regime which hypothetically would make it possible for the French to feel at home everywhere in Canada and for English-speaking Canadians to feel at home everywhere in Canada, and therefore there would be no reason for any further recognition of the status of Quebec as the principal homeland of the French-speaking people in Canada.

But the moment you begin to ask yourself the question, "How was the bilingual regime supposed to be sustained if it could not be sustained by the presence of a strong and vibrant province of Quebec able to maintain a foyer principal or a homeland of the French language in Canada?" you begin to realize that something more than official bilingualism, in which individuals were encouraged to speak French and the government would provide services in French, was necessary. So it was not surprising that within the space of 15 or 20 years we were into a further debate on these matters.

But the first point I want to make is to suggest that the debate that we have just come through is not in many respects unlike other debates that we have been through and that we may expect to be through others in the future. I suggest to members that there is nothing wrong with that, because let us look at all

of our social relationships, all of the groups that we belong to, all of the social entities that we participate in.

Let us look at families. Families exist as an ongoing dialogue and they work out their relationships on the basis of decisions. They have big crises from time to time and then they get over them, hopefully; maybe they do not, but hopefully they go on, often strengthened by the crises they go through.

For us to recognize that that is the reality of life is surely important for us in the political process as well. It is healthy for us as English-speaking Canadians and French-speaking Canadians to recognize that that dialogue and debate simply says that we are not unlimited in the powers that we have as individuals or as groups anywhere, any time, and that our ability to bump up against each other, and to sometimes bump up against each other in some pretty vigorous ways, is only to be expected.

When my colleagues talk about the problem of process in relationship to all that, however, what they are saying is that this process must not be confined to the formal entities known as governments. When it comes to constitution-making and indeed, in our country, in the wake of the Charter of Rights and Freedoms, which so expanded the sense that our citizens had of their right to equal presence in their society—equal recognition as individuals, regardless of background, equal recognition for special groups they might belong to, whether it was multicultural groups, whether it was aboriginal groups, whether it was French- or English-speaking, whether it was women or men, or indeed, in terms of the charter, because it recognized them also, whether you were part of a denominational school system or not—all of those recognitions in the charter seem to imply that there should, when it came to a discussion of the fundamental law of the nation, be recognition also in that process for those same groups so that their advice might be heard, and more than heard, be considered to be substantial and even at times decisive to the direction the Constitution would take.

1730

Unfortunately, the very Constitution Act that established the Charter of Rights and Freedoms and those expectations was precisely the same Constitution Act, in 1982, which established a process of executive federalism, which has been much commented on and much maligned, so that the real decisions that were being made with respect to the Constitution were ones at the elevated level of first ministers and their advisers and only secondarily was there a suggestion that here and there there might be public hearings, consultation and so on as it was felt to be useful. The very fact that most of the governments across this country that engaged in the Meech Lake debate, and even in the aboriginal round that went before it, did not consider it essential in either of those rounds that there be public hearings indicates the fundamental contradiction that existed within the 1982 act between the charter on the one hand and the processes of constitutional reform that were assumed to be the appropriate ones.

One would have to say that what happened in 1987 with the Meech Lake accord was in fact better than what happened in 1982 around the Constitution Act. The processes around the Constitution Act were in fact somewhat improved over the previous amendment process, because we all must remember that a short eight years ago, if we wanted an amendment to our Constitution, we had to do two things: Get unanimity between the provinces and the federal government and then take that unanimity to Westminster in Great Britain to have it ratified, because the only way Great Britain would accept an amendment

that came from Canada was if the Canadians were agreed upon it. Without that unanimity, there would have been no constitutional amendment, as, for example, there was on unemployment insurance and some other matters in intervening years.

Let's recognize that we are new in this process of constitutional change; let's recognize that the processes that we have had at least are marginally better than they were prior to 1982; and let's recognize that there is still a fundamental gulf and contradiction between the assumptions of the Charter of Rights and Freedoms of 1982 and the constitutional amendment process that was put in place in 1982.

I would suggest that with all the commentary that has been made on process, we should recognize that the select committee on constitutional reform which considered the Meech Lake accord in this House made some very strong recommendations with respect to process. They said it must never happen this way again. Second, they recognized that did not mean you put to one side the fact that there are first ministers and governments which make up the constituent parts of this country.

We cannot have a constitutional decision in this country unless it is finally the responsibility of elected governments—11 of them, and maybe more if we have new provinces coming out of the territories—and that therefore what is called executive federalism is going to be an ongoing feature of this whole process.

But equally fundamental must be a formal process of consultation both of the public and the elected legislatures so that, as we recommended in the Constitution committee, there would be standing committees on the Constitution in every Legislature and there would be an equivalent committee at the federal level. One can imagine various ways by which they might work together to form either a national constitutional conference of some kind or to summon and sponsor a larger constituent assembly of some fashion which would consider major amendments to the Constitution. Then the results of that would be fed back to first ministers, who would then formulate those findings in terms of an agreement, an accord of some kind, which might then be returned to the legislatures for a final lookover and then go back to the first ministers for a final agreement and then to the legislatures for final approval.

There can be a very good and logical structure for Constitution-building in this country, added on to what is now called executive federalism, without breaching the appropriate place and role of elected governments and elected premiers and prime ministers in this country, but one which respects the public. It is that that I hope the constitutional reviews that are being talked about under part 3 of section 4 of the first ministers' agreement—it is in that direction that we all must hope this country will move.

I want to say with respect to the content of the premiers' agreement that was fashioned in that crucible in Ottawa this last week, first of all, that much of it has already been dealt with by this Legislature. This Legislature, for instance, in terms of what has been called the Canada clause, has already passed a companion resolution which asks the other legislatures of this country, including the House of Commons, to develop a resolution around fundamental characteristics of Canada. This House passed formally, coincidentally with its passage of the Meech Lake accord, a resolution which said that this Legislature wished to see recognized as fundamental characteristics of Canada the presence of aboriginal peoples and their rights that they are owed; second, the multicultural nature of this country and the respect that is owed to persons who constitute specific cultural backgrounds and ethnic groups in this country; and

third, a specific recognition of all the rights that attach to being a Canadian.

By that we meant to refer to the fundamental issue of gender equality, which is established in section 28 of the charter, and second, all other rights that exist in our Constitution, which are many. We wanted to say that this is a country that respects those rights. It does not just leave them off in a corner somewhere, written on documents and unattended to, but states that this country fundamentally is committed to the whole paraphernalia of right that inhabits the Constitution of Canada. As I suggest, fundamental to that had to be, because you could not read that clause without understanding that it referred to it, the matter of gender equality that was outlined so forcefully in section 28 of the Charter of Rights and Freedoms.

So we had already done in this Legislature what other legislatures like Manitoba were referring to as the Canada clause.

Second, we had recommended as well that in the creation of new provinces there should be no discrimination against existing northern territorial peoples, either in the Northwest Territories or in the Yukon. We could see the problem of discrimination that was implied there.

We also recognized and recommended with respect to the question of language issues and official linguistic minorities that this province, as a dominantly English-speaking province, should none the less continue to promote the rights of French-speaking persons to services in French of all kinds that are sponsored by the provincial government.

We went on to recommend, as the first ministers have just done, that the territories, like aboriginal peoples, should be involved in all constitutional discussions that pertain to them. This Legislature has already recommended that and supported that.

1740

We also passed as a formal companion resolution, alongside the "fundamental characteristics" resolution, a companion resolution to the Meech Lake accord that said the discussion and negotiation of aboriginal self-government in Canada should be undertaken as a formal part of the announced agenda of first ministers' conferences and that that issue should at the very least be attended to once every five years until it is solved. Now the first ministers have said once every three years, and that is even better, but again, the important thing to recognize is that this Legislature has already passed a companion resolution which addresses that issue and which says that the Northwest Territories and the Yukon must also be involved in that process because it touches them, given the large numbers of aboriginal peoples in that part of Canada. A good deal of what is referred to as agenda for future constitutional discussions and amendments has already been dealt with by this Legislature.

So we come to the issue that became the make-or-break issue in the debate in Ottawa. That was the question of Senate reform and how we would deal with that.

It is my own view, but I think it certainly is in harmony with the spirit and the intent of what was happening in Ottawa to find a way of resolving the impasse over the Meech Lake accord by 23 June, it was certainly part of the intent of the Senate discussion there that there be certain kinds of assurances and a degree of certainty given to the dissident provinces of Manitoba, New Brunswick and Newfoundland that certain minimal things would happen with respect to the Senate, that it would, at least in terms of reform, proceed in future in any reform package as an elected Senate, that it would be equably representative of the regions and provinces and that it would be

effective, the last term not being spelled out at all, nor was equability spelled out at all, but certainly the principle of elected was front and foremost.

As an assurance that something of that order would happen, those provinces were told that within five years, if nothing had happened, they would at least be granted a distribution of seats, six from Ontario and two each from New Brunswick and Nova Scotia to the provinces of Newfoundland and the western provinces, which have felt their representation in the Senate was not appropriate to their place in the Canadian Confederation.

It would be my assumption, notwithstanding the fact that there are major problems about what one means by some of those terms of "effectiveness" and "equability" with regard to the Senate, that the minimum we have been committed to, as signatories to the Meech Lake accord and as provinces that have supported it in the past, is to get that bit of business over with by 23 June. Otherwise, if we are expecting Manitoba to have the process done by the 23rd, if we are expecting New Brunswick to have the process done by the 23rd and if we are expecting Newfoundland to have the process done by the 23rd in order to honour that date, and they are going to do that on the assumption that the other provinces have in fact accepted this proposition around the Senate, then surely we have to deal with it before the 23rd.

While I recognize that some of us, and indeed some of us in this party, are proposing that there might be some way of dividing, partitioning that section of the agreement off for later consideration, I do not myself see exactly how that is within the spirit of what was done in Ottawa last week.

I can agree and I understand that the province of Quebec will not be ratifying this business about the Senate or the rest of this package until after the 23rd. It has said time and time again that it will not do that. It has, in effect, honour-bound itself with the opposition in the National Assembly that it would not make any of those agreements and formally ratify them until Meech Lake was accepted and after the 23rd in a second round. Those are the terms in which they understand their duty and obligation.

But I would not expect the fact that they are functioning and proceeding on that basis to be a model that somehow legitimates Ontario to hold up its assent to each of these elements, much as I agree with the concerns that my leader expressed this morning, much as I agree with the observations that many have made, that moving into the whole question of Senate reform is a much more complicated and, in some respects, dangerous operation than most of us out there think. Our party has had a fairly straightforward approach to this in the past. We have tended to say, "Let's just get rid of the Senate, forget about it." But I quite frankly do not see that this is an option out there in terms of the state of public expectation or public reflection or public debate around the Senate.

I think we do have to be aware of the fact that you do not change one element of a federal system without affecting all the others; that, for example, even first ministers may not recognize that if you are going to have senators who formally represent provinces and who may be elected on a provincewide basis, they are going to go to Ottawa and they are going to compete for power with the very premiers of the provinces that they come from. What does that do to the status of first ministers' conferences? Has Mr Getty thought about that? Has Mr Filmon thought about that? Has Mr Vander Zalm thought about that?

There are serious issues about the relative power of an elected Senate and an elected House of Commons. Even if you

try to curtail it in terms of effectiveness or in terms of equality, the very fact that it is elected means that it is legitimate. If it is legitimated by the people, then is there any limit to the power it can access? There are major problems in the Senate debate that have not been confronted by this country. We have to be very careful that we do not, as we go into this debate, think that this is going to be an easy debate.

At the same time, we all must recognize that the Senate, as an increasingly important institution in this country—and inevitably it will be, if these resolutions pass—will be an important forum for parts of this country that have felt marginalized, that have felt away from the power centres of this nation, which resided principally in this province, secondarily in Quebec, the two of us together as central Canada. If in one way there is one reason why it is possible for us to give up six seats in Ontario, it is because we know we have such an overwhelming power as an economy in the economic equation of the nation, geographically in terms of the scale of our geography, resourcewise in terms of the strength of our resources, numberwise in terms of the number of our representatives who will be in every other representative part of the federal system, the House of Commons in particular. So we can afford that.

1750

But let us not fool ourselves if we think, as we begin to tamper with the Senate, that we are not going to have to watch very carefully all the other points around the circle of Canadian federalism lest we distort the whole pattern and undermine the capacity of this nation to function appropriately. There are many people who will say: "Well, they've got an elected Senate in the United States, so why shouldn't we have one? And all the states are equal." But then we should stop and think of it—there are over 50 states. When they balance out against each other, the balance is nothing like the imbalance between Ontario and Prince Edward Island. The population balance between Ontario and Prince Edward Island is 85 to 1. Would we then be able, in Canadian terms, to have a Senate which had equal provincial representation to the extent that one person in Ontario only had then one eighty-fifth of the power reflected in the Senate? Those are important equations of federalism, and we have to pay attention to them.

While I agree that we must move on the Senate portion of this package, with the certainty and assurance that those other provinces are now looking at the Meech Lake accord directly, and two of them for the first time as legislatures, we must at the same time realize that we will have to undertake a very serious and substantial debate around the Senate in order to get the best for our country out of that.

Finally, in effect, I come back to where I began. This party has always, throughout the Meech Lake debate and in preceding debates around the relationships of French-speaking and English-speaking persons in Canada, accepted the proposition

that there is in Quebec a distinct society in terms of culture, in terms of language, in terms of law and even in some respects in terms of religion. It, like the rest of the country, is becoming increasingly multicultural. There are many groups from various French domains around the world that exist in Quebec and give it a multicultural cast. The same is true of the rest of the country.

But we function on essentially a different language base, a different culture base, a different legal base. Our party has accepted that. We have even as a party recognized that if the province of Quebec and the people who reside there were ever at any time to be convinced as a whole that there was a better future somewhere else, one would have to recognize a right of self-determination. We have always argued against that. We have always argued that it would be a major tragedy for that ever to happen; that for the French and English to continue in the kind of relationship that we have had—dialogue, creative conflict even, but none the less together—is by far the best solution politically for all of us in the northern half of the North American continent and, as far as any of us can tell, always will be; and that it has to be a relationship of respect, it has to be a relationship of accommodation.

There is no question that today the province of Quebec houses a much more dynamic economy, much more completely controlled by its own dominant cultural group, French-speaking persons. Just as one symbol of that, there are more masters of business administration enrolled in the graduate schools of commerce and business in Quebec than there are in all of the rest of Canada put together. There is a new and potent Quebec, self-confident and outward-looking, and we would expect to have to make some kind of accommodation for that in our national life.

With that said, I want finally to say that we all recognize that what in some respects was a disastrous process may perhaps, and hopefully will, issue in national good; that the kind of heated crucible in which the final steps were taken last week in Ottawa will not be repeated as the dénouement of yet another constitutional debate some years down the road. All that notwithstanding, it is important for us in Ontario now to move firmly and openly through the time that is left at our disposal to hearings available to our public so that we may hear at the final stages of this debate what its best advice is and then come back to this Legislature in just over a week's time to make a final determination of this matter.

Again, it has been a pleasure for me to engage in this debate and to contribute what I can to its resolution, and I look forward personally, as a member of the Constitution committee, to our hearings during the next week.

Motion agreed to.

The House adjourned at 1757.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Members: Gilles Pouliot, E. Joan Smith and Noble Villeneuve

Clerk: Smirle Forsyth

CONTENTS

Monday 11 June 1990

Members' statements

Education for the hearing-impaired	1653
Mr R. F. Johnston	
Cycling safety	1653
Mr Cousens	
Road signage	1653
Mr Reycraft	
Water quality	1653
Mr Farnan	
Nipissing area teachers	1654
Mr Jackson	
Employment standards	1654
Mr Keyes	
Protection for workers and tenants	1654
Mr D. S. Cooke	
Jump Rope for Heart	1654
Mr Sterling	
Dental hygienist program	1654
Mr Campbell	
Suzanne Schwenger	1655
Mr R. F. Johnston	

Oral questions

Constitutional accord	1660
Mr B. Rae	
Mr Peterson	
Rooming houses	1661
Mrs Cunningham	
Mr Sweeney	
Patricia Starr	1662
Mrs Cunningham	
Mr Peterson	
Northern health services	1663
Mr Pouliot	
Mrs Caplan	
Toronto Transit Commission safety	1663
Mr Cousens	
Mr Wrye	
Plant closures	1664
Mr M. C. Ray	
Mr Phillips	
Garson Manor nursing home	1664
Miss Martel	
Mrs Caplan	

Assistance to farmers	1664
Mr Villeneuve	
Mr Ramsay	
Retail sales tax	1665
Mr Fleet	
Mr R. F. Nixon	
Regulation of zoos	1665
Mr Philip	
Mr Offer	
Environmental assessment	1666
Mrs Marland	
Mr Elston	
Layoffs	1666
Mr Tatham	
Mrs Wilson	
Funding of AIDS drug	1667
Mr Reville	
Mrs Caplan	
Abandoned rail lines	1667
Mr Pollock	
Mr Wrye	
Plant closures	1667
Mr D. S. Cooke	
Mr Phillips	

Motion

Constitutional accord	1668
Mr Scott	
Mr Breagh	
Mr Eves	
Mr Allen	
Agreed to	1682

Other business

Visitor	1655
The Speaker	
Mr Peterson	
Constitutional accord	1655
Mr Peterson	
Mr B. Rae	
Mr Harris	
Adjournment	1682

Lists of members

Members and their responsibilities	1683
Committees of the Legislative Assembly	1686

TABLE DES MATIÈRES

Le lundi 11 juin 1990

Divers

Accord constitutionnel 1655
M. B. Rae



45 1990

45 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Tuesday 12 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le mardi 12 juin 1990



Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 12 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

TOURISM

Mr Farnan: I want to take this opportunity to commend the Ministry of Tourism and Recreation on its 1990 tourism publications. The flagship publication listing communities and attractions across the province and the ministry's facility guides on camping and accommodation are excellent, and I commend the production of these publications in six languages.

There is obviously a serious effort on the part of the ministry's staff, but their efforts will be to no avail unless this government gets serious about tourism. We have experienced a significant decline, especially in the number of American tourists to Canada, at a time when more and more Canadians are taking vacations south of the border.

Surely the Premier should realize that the present Minister of Tourism and Recreation has not been able to give this portfolio the attention it deserves. The minister's main concentration has been on selling lottery tickets and his exhaustive speaking engagements in the area of drugs. Tourism, which could be the number one industry in Ontario by the year 2000, deserves a full-time minister.

We realize that the Premier and the Liberal government have given a very low priority to tourism. There was not one member of the hospitality industry on the Premier's Council on the economy that was supposed to devise a strategy to take this into the next century. In the present term, in two budgets and three throne speeches, we have had scant reference to tourism. Combined with a part-time Minister of Tourism and Recreation, is it any wonder that our tourism industry is suffering?

I say to the Premier that it is time this Liberal government recognized the significance of the tourism industry to Ontario and got serious about it. Maybe appointing a full-time minister would be a good starting point.

EXPO 2000

Mr McLean: My statement concerns a decision that will be made in Paris on Thursday that could mark the beginning of Metropolitan Toronto's coming-out party. That is the day the group that organizes world fairs announces whether or not Metro Toronto has been chosen to host Expo 2000.

I know that all the people of Ontario are hoping that Metro Toronto's dreams come true because Expo 2000 will have benefits that will spin off throughout this province. Studies done for the Expo consortium predict that Expo 2000 could pump \$7 billion to \$10 billion into the Canadian economy and employ between 145,000 and 190,000 people.

Provincial studies claim Expo 2000 will generate \$3.3 billion in tourism spending and pour \$1.2 billion into Ontario's tax coffers. As well, Expo 2000 would expose Canadian business to international trade. If Toronto wins Expo 2000, it would be the third world fair in Canada. In 1986, Vancouver's fair drew 22 million visitors, while Montreal's Expo '67 attracted 50 million visitors.

It has been suggested that if Expo 2000 is held in Metropolitan Toronto, we can expect between 55 million and 60 million visitors to pass through the turnstiles. We want people to come here, to reminisce and celebrate the beginning of a new millennium in the province of Ontario.

PHILIPPINE INDEPENDENCE DAY

Mr Ruprecht: On behalf of our government, I rise for the purpose of recognizing a special event that occurred 92 years ago, on 12 June 1898, the establishment of a free, independent, democratic republic of the Philippines. Philippine Independence Day is not only an important date in history, but it has great significance to our Canadian citizens of Filipino heritage.

In recognition of the important contributions that Canadians of Filipino heritage have made to the economic development and cultural enrichment of our province and country, the blue, red and white flag of the independent Philippines was raised this morning at Toronto's city hall. These Philippine colours have become an international symbol of the indomitable spirit of democracy and serve as an inspiration to us all to strengthen the bonds of friendship, respect and affection we have for the Filipino community.

With us in the gallery today to help us celebrate this historic event is Mr Ona, who is the consul general of the Philippines. To him and all Filipinos we say [remarks in Tagalog]. Congratulations.

WELLAND ROSE FESTIVAL

Mr Kormos: Mr Speaker, you know that once again it is rose festival time in Welland. It is too late for you to go down to the fashion show and dinner, because that was last Friday. Rosie Smith organized one heck of an evening. It is too late for you to go to Country Day, sponsored by the Rose City Snow Seekers out on their property, organized by Dan Fortier and Rejeanne Doucet, and it is too late for you to participate in the bantam baseball tournament, organized by Larry Jaroslowski.

But it is not too late for you to get down there this coming weekend, 15, 16 and 17 June, for the Rose Festival Carnival on Merrit Island that Claude Breault has done such a good job organizing. It is not too late for you to get down there the weekend after that for the coronation ball, and Eleanor Curley has organized one heck of an event.

There is a teen dance on the same night for your kids. Dan Beaudain has done one outstanding job in organizing that teen dance at the Club Social. Flubbo Silvestri's hot rod show on Saturday 23 June is something not to be missed. The climax of it all, the event that everybody in Welland and Niagara, and quite frankly southern Ontario and New York state, comes to see is the Rose Festival Parade.

That is on Sunday 24 June. It starts at one o'clock on east Main Street, travels from the Towers lot down in the east end to the Welland arena. Jeff Ward has worked for a whole year organizing a parade that is beaten by none. After that, go down to Ethnic Day at the arena with Yvette Ward and in the evening go to Jim Montgomery's drum corps competition. I will see members there.

The Speaker: Thank you. Is there any telephone number?

HEALTH CARE

Mr Eves: I am going to do an encore to that. I would like to ask the government to recognize the need for support and co-operation with health care providers.

This government has certainly stepped on the toes of many medical professionals. The Ontario Medical Association has taken a step towards establishing a new relationship with the government this past week. One week ago, Ontario doctors voted to drop their legal challenge to the 1986 ban on extra billing. They have asked in return that the government agree to submit to binding arbitration on any matter of fee disputes.

1340

We are concerned that this government does not seem to share the OMA's commitment to establish a positive and co-operative relationship. Several of the Minister of Health's actions towards the medical profession would seem to reflect a complete lack of understanding and inability to consult with health care providers in this province.

For example, the OMA was not consulted at all when the Minister of Health announced that the number of caesarean sections performed in the province was too high and must be reduced by 15% of all births within the next two years.

The minister finally approved a CAT scanner for St Mary's Hospital in Kitchener-Waterloo but radiologists were told at the press conference that they would have to accept a lump sum payment for service. The Health ministry also asserted that approval for the CAT scanner could be withdrawn if radiologists did not agree to the ministry's terms.

Doctors should not be held ransom for a desperately needed piece of equipment. This is wrong. It is crucial that this government recognize that a positive, co-operative relationship with health care providers is in the best interests of all Ontarians.

SPEECH BY WINSTON CHURCHILL

Mr Tatham: It was 50 years ago that as a lad at school I remember hearing these words:

"Even though large tracts of Europe and many old and famous states have fallen or may fall into the grip of the Gestapo and all the odious apparatus of Nazi rule, we shall not flag or fail. We shall go on to the end, we shall fight in France, we shall fight on the seas and oceans, we shall fight with growing competence and growing strength in the air, we shall defend our island, whatever the cost may be, we shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the streets, we shall fight in the hills; we shall never surrender, and even if, which I do not for a moment believe, this island or a large part of it were subjugated and starving, then our empire beyond the seas, armed and guarded by the British fleet, would carry on the struggle, until in God's good time, the new world, with all its power and might, steps forth to the rescue and the liberation of the old."

That was delivered by Winston Churchill on 4 June 1940 in the House of Commons.

SOFT DRINK CONTAINERS

Miss Martel: I recently received letters from grade 13 students at école secondaire Hanmer regarding aluminum cans and recycling. They are discouraged by the number of pop cans they see littering our streets and sidewalks. They were disappointed to learn that, unlike other jurisdictions, the Ontario government has refused to place stiff deposits on aluminium cans to encourage their return.

The Minister of the Environment believes that more waste will be diverted from landfill sites through the blue box program than through placing deposits on non-refillable containers. It is interesting to note that municipalities, the keys to the success of the blue box program, do not agree with the minister.

In August 1989, at its annual conference, AMO passed three resolutions regarding the imposition of deposits on non-refillable pop containers. It is fairly obvious that the return of pop cans through the blue box program has not been nearly as successful as the minister would have us believe. Nor can he be excused for agreeing that only 30% of soft drink sales had to be in reusable containers versus 50% before 1985 in exchange for soft drink industry participation in the blue box system.

Since that time, even with the reduction in the obligations on the soft drink industry, the industry has had great difficulty in meeting its quotas. The proof is in the number of convictions which have resulted under the regulations.

New Democrats believe that the only workable regulation is one which either puts stiff deposits on all non-refillable containers to discourage their use or prohibits their use altogether. That will be far more likely to respond to the concerns expressed by these grade 13 students.

DEVELOPMENT CHARGES

Mr Jackson: I would like to comment on the Ontario Home Builders' Association's decision to launch a constitutional challenge to Bill 20, the Development Charges Act. During public hearings the Liberals were repeatedly told that this legislation would add \$10,000 to the cost of a new home. However, the government was determined not to listen.

This of course is consistent with the Treasurer's plan to download as many costs on to municipalities and school boards as possible. We repeatedly told the government not to proceed with this flawed legislation. For ignoring our advice, the government can look forward to lawsuits and a lack of affordable housing in Ontario.

Even school boards are not winners with Bill 20. With the imposition of lot levies, builders have stated that they will not continue the practice of giving school boards preferential prices on land. Boards in York region are now facing land prices that are 10 times larger than the level of 1988. As a result, educational lot levies will be of little assistance to school boards desperate for new construction. I presume the government will now consider the Ontario Public School Boards' Association's recommendation that the Planning Act be amended so that developers are required to donate land for school sites, as they currently do for parks.

Of course, none of this would be necessary if the Liberals had lived up to their provincial responsibilities for funding education instead of passing the costs on to the backs of new home buyers in Ontario.

ARCHIE AND ANNIE CAIRNS

Mr Elliot: On Sunday 3 June 1990, Archie and Annie Cairns celebrated their 60th wedding anniversary in Milton at Hugh Foster Hall. The recently renovated heritage building, the Old Halton County Registry Office, was a terrific setting for this event. It seemed the whole town of Milton and the surrounding area dropped by to wish Archie and Annie continued good health. Many commented on their exuberant good humour and their significant contribution for nearly half a century to the town of Milton.

Among the guests was the entire class of 1913 from the Dakota Public School, which used to be located near Kilbride in

the former Nelson township. Sam Newell, Gladys Wilson, Ann Laura Dixon, Eva Wilson, Eva Edington and Bendy Guby were the personification of what is great in rural Ontario. Each had enjoyed more than 80 productive years. The Dakota Public School class of 1913 anticipates many more productive years in its community.

The mini-reunion they held while helping Archie and Annie Cairns celebrate their 60th anniversary was something to observe. Despite Sam's triple bypass and Laura's fading vision and the consensus that all were growing older, the six members, the entire class of 1913, added a verve to the party which made it a fitting tribute to begin Senior Citizens' Month, June 1990. Ann Laura Dixon, Annie's sister, and her classmates added greatly to Annie and Archie Cairns' 60th anniversary celebration.

STATEMENTS BY THE MINISTRY

ACCESSIBILITY FOR THE DISABLED

Hon Mr Wrye: As honourable members know, this is National Access Awareness Week, which focuses on achieving the full integration of disabled persons into the social and economic life of our country.

In recognition of this occasion, I would like to announce a provincial policy commitment and a series of related initiatives which will enhance the government's programs for providing accessible transportation to disabled persons.

I am pleased to announce today that the province is formally committing itself to the principle of a fully accessible public transportation. The government plans to achieve this long-term goal in an efficient, effective and fiscally responsible manner.

This has been done in co-operation with other provincial ministries and agencies, including the offices of the Minister without Portfolio responsible for disabled persons and the Minister without Portfolio responsible for senior citizens' affairs. Extensive consultation was also conducted with consumer groups, municipal and industry associations and service providers.

This commitment will mean a greater opportunity for disabled persons and seniors with mobility problems to participate in the full spectrum of community activities. It will also promote the dignity and independence of all individuals.

Specifically, I am pleased to inform the House that for the next four years the government will increase to a maximum of 90% from the current 75% its funding of special features that make conventional transit services more accessible to frail and ambulatory disabled persons.

This will mean an added incentive of about \$8.7 million to municipalities to equip their fleets with such features as kneeling buses that lower the front step, angled courtesy seating and improved public address systems. These improvements will make public transit services more convenient and user-friendly for nine of 10 disabled persons.

Earlier this spring, the government unveiled a program of rapid transit expansion in the greater Toronto area involving a \$5-billion investment through provincial, municipal and private sector financing.

The implementation of this program will present many opportunities for enhanced service to all current TTC subway and GO rail transit riders, including people with children in strollers, seniors and disabled persons.

In that regard, the government endorses the TTC report, "Choices for the Future." The report's recommendations include improvements to Wheel-Trans services, implementation

of easier access features on conventional transit, accessibility to all new rapid transit stations and retrofitting 20 key existing stations. My ministry will work with the TTC to implement these recommendations.

1350

In addition to these improvements to TTC services, all of GO's new commuter rail stations will be accessible to persons with disabilities. I have asked my officials to develop a program and timetable for retrofitting key GO stations and report back to me this fall.

As members will know, the three-year-old accessible taxi demonstration project has been enormously successful, most especially in some of Ontario's small to medium-sized communities. Throughout the province, the number of individuals using accessible taxis is steadily rising. Just yesterday morning, I launched yet another such service in the city of London.

Today I am pleased to announce that we will be turning our accessible taxi initiative from a pilot project into an ongoing Ontario government program representing a new provincial commitment of more than \$1 million a year. This is a popular transportation option, as disabled persons use taxis eight times as often as the general population. Over the next couple of months, I will be announcing the introduction of accessible taxis to many more municipalities, adding to the more than 20 which already have these services.

The government is making a formal commitment to the efficient, effective and fiscally responsible achievement of fully accessible public transportation. These undertakings will have important implications for all parts of our province, and combined with the programs already in place, will move us significantly closer to our goal of a full range of transportation options for all Ontarians.

CLASS ACTIONS

Hon Mr Scott: A little less than a year ago, on 29 June 1989, I announced in the Legislature this government's intention to undertake class action reform.

Members will recall that a class action or a class proceeding is a special procedure that permits numerous individuals who have suffered a common wrong to seek redress in one lawsuit as a group, rather than in numerous lawsuits as individuals. It can be a valuable tool for litigants since it will provide an effective means to achieve compensation for widespread harm or injury while at the same time saving limited court time and resources.

Our society will unfortunately continue to see incidents of mass loss similar to the Mississauga train derailment, the Dalkon Shield case, mass environmental damage, defective products and other consumer losses. These are all examples of the kinds of claims that may be treated, I believe, more efficiently in a class proceeding.

On 29 June 1989, I set out in this House several principles of reform to which the government was committed. Around those principles, I formed a broadly representative advisory committee to make recommendations. That committee has produced a unanimous report which is being tabled today and on the basis of which I am pleased to introduce a bill entitled the Class Proceedings Act, 1990.

The act builds upon the important work of the Ontario Law Reform Commission, which completed an exhaustive review of this field in 1982 and published a report that has been hailed as an important contribution to scholarship in the class action area.

Although the report presented a powerful case for reform, none was forthcoming at that time.

This government did not feel it would be appropriate to prepare legislation affecting so many people without the advice of business, environmentalists, lawyers and consumers. It was for that reason that I established the Advisory Committee on Class Action Reform, whose membership included representatives of the Canadian Federation of Independent Business, the Canadian Manufacturers' Association, the Retail Council of Canada, the Ontario Chamber of Commerce, the Consumers' Association of Canada, the Environmental Law Association, Energy Probe, the Advocates' Society, the Canadian Bar Association of Ontario and the Insurance Bureau of Canada, representatives of which are in the gallery.

A word of thanks must go to the members of that advisory committee. They worked long and hard as volunteers on a complex subject and produced sound and, equally remarkable, unanimous advice for this government.

The highlights of the proposed procedure are as follows: The class proceeding will include a step in which a judge will screen potential class proceedings according to a specific test; members of the class who do not wish to participate in the class proceeding will have the opportunity to exclude themselves, or opt out, of the proceeding; the representative plaintiff will be required to ensure that the class members obtain notice of the proceeding; and once certified by the court, the proceeding would continue in a manner similar to other civil litigation, but with some significant differences, namely, that one judge will hear all the motions up to the trial and the court will have the ability to make aggregate judgements in cases where the only issue is the assessment of damages for many individuals.

Normal costs rules for litigation will apply, but lawyers and their clients will be permitted to engage in special fee arrangements for such proceedings, subject to the court having final control over all fees and disbursement agreements.

The bill's provisions ensure that plaintiffs and defendants are treated fairly and that the class proceeding makes a positive contribution to the resolution of civil disputes.

I am also pleased to announce the establishment of a class proceedings fund in the amount of \$500,000, to be administered by its sole contributor, the Law Foundation of Ontario. This fund, which was part of the advisory committee's unanimous recommendations, will provide financial assistance and some cost security to those litigants who are prepared to undertake the class proceedings on behalf of themselves and others.

This bill, on balance, provides the detailed procedure that is needed to equip our courts to handle the potentially complex litigation that members of our society will undoubtedly face in the future. I hope that we can enact it quickly in order that the people of Ontario can finally benefit from this important access to justice, and I want to particularly thank the advisory committee for its assistance in this important and difficult work.

RESPONSES

ACCESSIBILITY FOR THE DISABLED

Mr Allen: At last, at last; but how long have we had to wait? For years, questions in estimates, questions in the House: disabled transit, fully accessible, please. Finally, finally, we have a response, and we are delighted that the minister is going to be following the Choices document of the TTC and moving in on the subway stations and their accessibility in this city. We are delighted to see that at last there is going to be some action on fully accessible GO Transit.

We are delighted that the subsidies that have been proposed for municipal fully accessible disabled transit and public transit for the disabled are going to go up to 90%. That had been a really big sticking point, because municipality after municipality, small and large, has told us time and again, "The reason we can't get into this is it's absolutely impossible in terms of the financing involved in relationship to our tax base; we couldn't ever carry it."

So now they have done it and we are pleased to see it has happened, even though three years ago they might have done it when Freedom to Move is Life Itself was issued by the Ontario Advisory Council for Disabled Persons, or a year or two before that when the Trans-Action coalition had put forward a memorandum of agreement it wanted the minister to sign so that he would step in the disabled accessibility over a period of 20 or 30 years. No, nobody would sign it.

I do not know what has brought about the conversion. I presume it is the persuasiveness of the disabled community itself that has finally brought this government to its knees on this particular question. I give them full benefit and full praise for having lobbed their arguments so successfully and hit the minister so hard and so often that finally he has come across. I thank the minister very much on behalf of the disabled. We will just keep a watch on how quickly he moves on the whole process.

CLASS ACTIONS

Mr B. Rae: I want to respond to the statement by the Attorney General. This might have been a dramatically progressive idea in some parts of the world 20 years ago, but the Attorney General has by his own admission said that the United States has had this legislation for 20 years, that it has been the law in the province of Quebec for 10 years and that it took his government four years after 1985 before it even established a committee.

The reason that I raise it in this context is that if it takes this government eight years, or two governments eight years—and increasingly it is becoming difficult to notice the difference between the blue and the red as these colours gradually elide and collide and merge into the purple hue of—

1400

An hon member: The Attorney General.

Mr B. Rae: —the Attorney General. No, I did not say that.

The reason that I raise this delay in this way is that the Ontario Law Reform Commission very recently produced an important report with respect to class remedies and group remedies with respect to the environment. It dealt not only with the creation of a cause of action, but also directly with the question of steps that needed to be taken. I can say to the Attorney General that we all hope and expect that it will not take eight years for the government to respond to that.

The private member's bill which stands in the name of my colleague the member for Etobicoke-Lakeshore talks about the need for an environmental bill of rights which will ensure that citizens—who have, by and large, in their consciousness and their activity, been far ahead of governments—have some effective rights, in order to enforce the law in a speedy, effective and efficient way with respect to environmental damage.

The Attorney General knows full well that until we create some new causes of action, this class action proposal does not go far enough. It only deals with existing torts and not with new ones that have to be created, so I say to the Attorney General

that what he has done needed to be done 20 years ago, what needs to be done with respect to the environment needed to be done yesterday, and we expect him to get on with it before the end of this session.

ACCESSIBILITY FOR THE DISABLED

Mrs Marland: We too welcome the transportation initiatives. However, I would like to say that the government's record in keeping its transportation promises to persons with disabilities is extremely poor, and I feel obliged at this time to comment on the success of some of its 1987 election promises, since these may well fall into the same category.

The Liberal government has an extremely poor record with regard to fulfilling the needs of persons with disabilities. Access to public transportation is nothing short of inadequate in this province. The government made a number of promises during the 1987 provincial election campaign to improve access to public transportation, but unfortunately has not implemented them. I would like to comment on the progress of some of these two-and-a-half-year-old promises.

The government promised \$2.5 million annually over five years to provide lower transit fees for seniors and the disabled. To date, the government has not spent one cent on the implementation of this program.

To encourage smaller communities to provide special-needs transit services, \$14.3 million was committed over five years. Almost three years after the promise was made, no money has been spent towards the implementation of this initiative. The program is apparently still in the developmental stages.

The annual supplement of \$2.5 million promised and designed to improve access to public transit has also not been spent.

Last month, the Minister of Transportation announced a \$5-billion initiative to public transit in Toronto. It was disappointing that there was no mention made as to whether these new transit systems would be fully accessible to persons with disabilities.

It is also disappointing that the election promises made by the David Peterson government in 1987 to improve conventional transit are still in the developmental stages.

I call on the government to take immediate measures to ensure that public transit is fully accessible to persons with disabilities. It is time that this Liberal government realizes that accessible transportation is the only way for persons with disabilities to have equal access to employment, education and recreational activities.

When we look at this amount of \$8.7 million in today's announcement as an added incentive to municipalities, all I can say is that \$8.7 million over four years is not enough, especially coming from a government which has spent almost \$20 million in two years on a useless auto insurance bureaucracy.

Finally, I would like to say that it is fine for them to announce the improvements that will make all new GO Transit commuter stations accessible. The question is, what about the existing GO Transit stations which are not accessible?

CLASS ACTIONS

Mr Cureatz: In response to the Attorney General's announcement, as I indicated to him when he was out visiting my riding of Durham East, I do not always have this wonderful opportunity of speaking to some of the proposals that are coming forth from his ministry. I am interested, of course, so I am always listening to the Attorney General.

In 1982 the report of the Ontario Law Reform Commission made similar recommendations. That was from 1982 to 1985. Let's see, what party was in power then? Oh yes, the Conservatives. So that means the Conservatives did nothing in terms of this kind of legislation. Lo and behold, the Liberal administration takes over from 1985 to 1990. Now that is about five years, so over five years those people have not done anything about this. That just goes to show that they are twice as good at doing nothing as we were, if members follow that kind of rationale.

It makes me think in terms of why the Attorney General has brought this forward at this particular point in time with about two weeks left of the Legislature. Everybody is talking about an election. Could this just be a little dangling item so that the honourable Attorney General could hold forth a proposed piece of legislation which I doubt very much is going to pass through the assembly by the time we adjourn, with Orders and Notices as full as it is?

In any event, I do want to congratulate the Attorney General in terms of at least finally bringing forth the proposal. I think the recommendations will go a long way in satisfying a lot of those interest groups, those that all of us are familiar with in our particular riding offices, be it the environmental groups, the consumers' association, Energy Probe or the Advocates' Society.

I might conclude by saying my colleague the member for Carleton is concerned about the contingency fees, but that is about the only issue the member for Carleton and I have ever differed on.

ORAL QUESTIONS

PATRICIA STARR

Mr B. Rae: I have a question for the Premier. The news this morning is that some 71 charges under the Election Finances Act have been laid, 34 against Mrs Starr and 11 against campaign officials of a variety of campaigns, including those of the now Minister of Industry, Trade and Technology and the Minister without Portfolio responsible for women's issues.

Mrs Starr, in an interview which was published in the *Globe and Mail* on 7 June 1990, said that while she would not identify the person, a major senior figure in the Liberal cabinet back in 1985 was the person who told her the way to make contributions to a variety of campaigns. This is a very serious allegation that has been made by Mrs Starr, now made publicly. I wonder if the Premier could tell us what his own investigations and discussions with his cabinet colleagues have revealed with respect to this very serious allegation.

Hon Mr Peterson: As members know, there have been rumours coming out of the Commission on Election Finances for some time now about its action. I do not think it is appropriate for me to comment on charges that are now in the courts.

Mr B. Rae: This deals with the political responsibility of the Premier for the conduct of the members of his cabinet. He will know that just a short time ago he heard some allegations with respect to the conduct of the Minister of Culture and Communications, which conduct does not appear to have been illegal but was sufficient for the Premier to agree with her that it was a good idea for her to resign.

This is not a rumour. This is an interview which Mrs Starr has given to the *Globe and Mail* in which she has stated very clearly and categorically and emphatically that a senior member

of the Premier's cabinet was involved in giving her advice with respect to what happened.

Hon Mr Scott: Name names.

Mr B. Rae: The Attorney General says, "Name names."

Hon Mr Scott: No, I am telling her to name names.

Mr B. Rae: I am asking the Premier very simply this: He has stated that he has the highest possible standards of conduct for the members of his cabinet. I want to ask him, since this interview became public knowledge, what has he done to ascertain the identity of the person who was giving Mrs Starr this kind of advice?

Hon Mr Peterson: Allegations are made and no names are supplied, and the member obviously is taking advantage of that to broad-brush the whole situation. He has the right to do that, but this is before the courts and she will have the opportunity to present the facts as she sees them. Surely, that is the way our system works.

1410

Mr B. Rae: The Premier is responsible for the political conduct of the members of his cabinet. If he wants to narrow the brush, as he has put it, he is the one who is in a position to do that.

I want to ask the Premier very specifically, what discussions has he had with any members of his cabinet with respect to the very serious charges made by Mrs Starr with respect to the conduct of a member of his cabinet, and if he has had no discussions, why not?

Hon Mr Peterson: There are rumours around about you, about lots of other situations. Anybody can stand up and say that. I have absolutely no evidence of that, and if she has evidence of it, obviously she will present it in the courts.

[Later]

Mr B. Rae: On a point of order, Mr Chairman: I know that it is not normal to interrupt this proceeding at this point, but it is because of a point that was made to me by another member, the member for Dufferin-Peel, who stated to me that she felt I was referring to her and to her riding association in one of the questions that I asked today.

She assures me that her riding association is not subject to any charges under the Election Finances Act. If that is the case, I would like to correct the record and make it very clear that I was not in fact referring either to her or to her riding association, and I wanted to take the earliest opportunity to do that. I will correct Hansard accordingly.

ECONOMIC OUTLOOK

Mr B. Rae: I would like to ask a question of the Premier about the state of Ontario's economy. In the last period of time, we have seen an incredible number of layoffs in the manufacturing heart of our province, in eastern Ontario, in southwestern Ontario, in northern Ontario. Indeed, there is not a part of the province that has not been touched by record layoffs in the last few months.

I would like to ask the Premier why it is that this government has failed to introduce any single measure which would deal with the effect of these layoffs, this unemployment, on the working men and women of this province.

Hon Mr Peterson: I think the Treasurer can help out my honourable friend with the state of the Ontario economy.

The Speaker: Referred to the Treasurer.

Hon R. F. Nixon: I think the honourable member is aware that however inadequate he may feel our legislation is, it is considered by impartial observers to be the most effective that is available in North America. There has been considerable review and discussion in this House about how it might be focused further, and I am sure that is going to be a subject of debate, both here and elsewhere in the democratic process. Perhaps I would wait for the honourable member's additional questions before I defend the economy.

Mr B. Rae: In eastern Ontario, more than 2,000 manufacturing jobs have been lost over the past year in nine eastern Ontario counties, excluding Ottawa-Carleton. In Cornwall, eight plants closed and 1,000 jobs have been lost over the past 12 months. In Renfrew, six companies closed and 391 jobs disappeared, with another 200 on the line.

Let me name him one specific reform which he himself promised the people of Ontario back in 1985. Why have we not see the legislation with respect to pension reform, ensuring that pensions would be indexed, protected against inflation, so that at least those workers who are laid off and forced to take early retirement will have some protection as they face the future?

Hon R. F. Nixon: The honourable member has recounted the thousands of jobs we are losing without giving the other side of the story. We pursued this matter earlier this week and he is aware that none of these jobs, even his own and even my own, are preserved in amber, but he would also be aware that the economy is going to produce at least 50,000 new jobs during this year. It is interesting that during the first five months of this calendar year there have been 25,000 to 30,000 new jobs produced.

Mr Reville: Flipping hamburgers at a hamburger stand.

Hon R. F. Nixon: The honourable member is quick to say that these jobs are hamburger flippers or something like that, not that we as politicians have anything against people who flip hamburgers, but we also know that commitments have been made by Ford Motor Co for substantial additional capital with new jobs, that Toyota has announced additional hiring; so has Honda, so has Suzuki.

I feel that the honourable member is mesmerized by negative aspects of the news, when in fact our economy continues to grow. I wish it would continue to grow as fast as it did four years ago, or even three years ago, but the honourable members are aware that the economic growth in all jurisdictions in the Organization for Economic Co-operation and Development is diminishing, but we are projecting solid and measurable growth this year, with net new jobs of at least 50,000.

Mr B. Rae: The Treasurer is really talking through his hat, because in May, seasonally adjusted employment dropped by 44,000 over one month—that is a net figure—and unemployment increased by 32,000. That is another net, real figure. Those are real figures and real numbers in May 1990.

Given that this is happening, and it is undeniable that it is happening right across the manufacturing economy of this province, again with respect to a very specific promise that the Liberal Party made to the people of this province, the Liberal Party said to workers who were going to be taking retirement, "If you've got a pension plan, we will ensure that at least it's indexed." That is what the Liberal Party promised them in 1985. Where is that promise today? Why has it reneged on that promise?

Hon R. F. Nixon: The honourable member, in talking about the employment statistics, has surely overlooked the fact that the unemployment rate in this province is by far the lowest of any provincial jurisdiction.

Mr D. S. Cooke: What about some of the regions of the province?

Hon R. F. Nixon: Comparisons are invidious. Having said that, let's look at Quebec, where the unemployment level is over 9%. I am very much impressed with their efforts to improve that, as, frankly, the honourable member should be applauding the efforts that this government has made to improve employment opportunities in this province.

We think they are effective and our employment levels, although they went up 0.8% year over year, are an indication that the economy is not growing as fast as it was but it is still positive.

CIVIL SERVICE

Mr Harris: I have a question for the Treasurer about taxes. I am sure the Treasurer will know that tax freedom day in Ontario this year will be 5 July. That is the first day when Ontarians, who now pay 51% of their incomes in taxes, can keep a dollar for themselves.

Ontarians now have by far the largest tax bill in Canada. Thanks to this Treasurer, the 10% tax advantage that Ontario had over Quebec in 1985 has been completely wiped out and we are now one of the most heavily taxed jurisdictions in North America. Given this tremendous tax load, can the Treasurer tell me how he can justify the escalating growth in government, especially in the public service, over the last five years?

Hon R. F. Nixon: Having a so-called tax relief day of 5 July does not fill me with a great deal of pleasure, but the honourable member will have to know that our fiscal policies are somewhat different from those of the government of Canada or even those of the government which he supported during the years when he was a cabinet minister. He may recall that he supported a deficit of over \$3 billion, and the federal government is supporting a deficit of over \$30 billion.

The honourable member will know that we do not have a deficit in this province and we are paying our bills. It may be one of the reasons why our tax day is as late as it is, because our policy is to pay for programs as they are established and as they mature.

Mr Harris: I do not know what that has to do with the escalating growth in the civil service.

Hon R. F. Nixon: I will get to that.

Mr Harris: The Treasurer talks about the debt. If we get to that, the total debt since the Treasurer has taken office has gone from \$30 billion to \$40 billion, a 33⅓% increase. I do not know if he is proud of that figure.

Dealing with the size of the bureaucracy, I have managed to come by an internal document which says that the Ministry of Natural Resources has a ratio of only three employees for every one supervisor. The average number of positions reporting to every supervisory position in the Ministry of Natural Resources, if the members can believe it, is 2.6. Does the Treasurer really believe it makes sense to have one management position for every 2.6 staff positions? In other words, 36% of the entire Ministry of Natural Resources is made up of management.

Hon R. F. Nixon: The honourable member must surely be aware, since he has become so interested in statistics, that there

are fewer civil servants per capita in Ontario now—that is, working for this government, not the federal government or any of the municipal governments—than there were in 1975.

Interjections.

Hon R. F. Nixon: Mr Speaker, as a disinterested taxpayer, you at least would be interested to know that we have fewer civil servants per capita than any provincial jurisdiction in Canada or the federal government itself. I think we are working effectively and, just like the Treasurer, we are lean.

1420

Mr Harris: The Treasurer is not as lean as I recall him a few years ago. I want to tell members that.

A special Cresap consultant's report was commissioned by this government to review organizational problems in the Ministry of Natural Resources. That report that the government commissioned clearly said that this government's staff-to-management ratio does not make sense. As a matter of fact, the Treasurer pointed out that we have fewer civil servants per capita than in 1975. This report goes on to explain why that is so, because it praises my party's initiatives to reduce staff levels by 400 positions in that ministry in the early 1980s and to reorient resources to priority areas. The same report—this is the government's report, which it commissioned—goes on that this staffing ratio of management to staff "contributes to both the excessive staffing as well as the underservicing that exists." The consultant's report states, "Some functions remain overstaffed and the ministry is burdened by excessive overheads and administrative activity."

Rather than defend its tax-and-spend approach, why has the government not reorganized its own bloated bureaucracy, as recommended by its own consultant's report, to improve service, save money and make better use of the taxpayers' dollars?

Hon R. F. Nixon: I am prepared to agree with the honourable member that while we approach perfection, we are not perfect. However, I would say again that we have the lowest ratio of civil servants to population of any provincial jurisdiction in Canada and substantially lower than the government of Canada.

The honourable member is critical of the Ministry of Natural Resources. I believe he was the minister there for a period of time. Actually, we are very proud of what our accomplishments are in that regard. Frankly I, for one—and I believe there are probably 94 others who would agree with me—feel that the minister and that ministry are doing an excellent job in preserving our natural resources and working effectively for the good of the taxpayers of the province.

DIALYSIS UNIT

Mr Eves: My question is of the Minister of Health. The minister is no doubt aware of the problems with the delivery of patient care at the dialysis unit of Ottawa Civic Hospital. Because there are not enough nurses there to provide patient care, nurses in that unit have been forced to work back-to-back 12-hour shifts. Does the minister feel that this is an appropriate level of care to provide patients in the dialysis unit?

Hon Mrs Caplan: My critic opposite would know, and I think it is important that we realize, that the provision of dialysis services is a priority for the ministry. We announced a comprehensive plan. However, the actual delivery of services is the responsibility of the hospital boards of trustees.

If the member has a particular situation which he is concerned about, the ministry is always prepared to investigate, but I can tell him that the Ottawa Civic Hospital is an excellent hospital with a fine reputation for delivering patient care. I have confidence in the chairman of that board, Hy Soloway, and in the administrator, Peter Carruthers, and I am sure they are providing appropriate patient care. However, if the member has concerns, I would be prepared to look into this matter.

Mr Eves: I am sure the minister will be aware that in March 1987, a professional responsibility complaint was filed by the Ontario Nurses' Association against Ottawa Civic Hospital for this very specific complaint. They reported on 15 April 1988 that a proper standard of care was not being achieved at the facility and that there were many problems with patient care in the dialysis unit. Their investigation also found that the problems had been recurring at Ottawa Civic in the dialysis unit for many years.

They have written to the minister on several occasions, 3 May 1989 and 28 November 1989, I believe it is. They are releasing their report in a press conference in Ottawa this afternoon because of the minister's lack of response to their concern and because a lot of the recommendations that their report included back in 1988 have still not been implemented by the hospital. How could the minister have known about this since March 1987 and not taken any direct steps to intervene, as the Minister of Health, to make sure these recommendations were being implemented?

Hon Mrs Caplan: I would remind the member opposite that the board of trustees of the hospitals of this province take their responsibilities very seriously. Under the Public Hospitals Act, they are both responsible and accountable for the delivery of patient care.

I can tell him that the ministry acknowledged the need for enhancement of dialysis services and approved the redevelopment in the Ottawa Civic Hospital of the area providing dialysis services. We are always there to respond appropriately to the needs. I believe that in this case it is important for the member to realize that the hospital is run and governed, appropriately, by a community board, which accepts its responsibilities very seriously and is accountable for the decisions that it and its staff undertake.

Mr Eves: I am more than aware of all those facts. I am sure the minister is also aware that as a last resort, when the hospital does not respond and implement the recommendations of a professional responsibility complaint launched by the ONA, its last resort is to appeal to the Minister of Health. It appealed to the minister asking for help on 3 May 1989. We are now at 12 June 1990.

Since 1987, there has been over 75% turnover in this unit at Ottawa Civic; eight nurses in this unit have recently left and gone to the dialysis unit at Ottawa General Hospital. Nurses at Ottawa Civic are spending their time picking up garbage. The minister has known about this since 1987. What is she going to do about the working conditions there?

Hon Mrs Caplan: The member opposite clearly does not understand how the health system in this province works. The hospitals are the employers. The ministry does not run the hospitals. The hospital boards take their responsibilities very seriously. If someone wants to request that the ministry intervene under the Public Hospitals Act, the ministry is always prepared to investigate, but for the member to suggest that the ministry runs the system is simply wrong.

Mr Eves: The government should accept its responsibilities.

The Speaker: Is the member for Parry Sound finished?

Mr Reville: The subject needs further airing in the House because the minister has tried to deliver a gratuitous lecture to my counterpart in the third party about how the health care system works. Let me remind the minister how the health care system works.

When a nurse has a professional responsibility complaint, there is a process through which that nurse goes. That process has occurred, and 11 recommendations in this report by an independent nursing assessment committee have been made. Those recommendations, the minister well knows because she has been told over and over again, have been ignored.

So, the minister should not tell us that the hospital board of trustees is governing the hospital appropriately in this connection. Patient care is at risk in those dialysis units. What is the minister going to do about it?

Hon Mrs Caplan: If patient care is at risk, or if anyone suggests that patient care is at risk, the ministry is always prepared immediately to act to send in investigators to determine the situation.

I will say to the member opposite that the Ottawa Civic Hospital has a very fine reputation. The board takes its responsibilities very seriously. I know that the administration within the hospital as well is working very hard to ensure that the level of patient care is appropriate. I would say to the member opposite that the ministry only intervenes where there is evidence that patient care is at risk. I can assure him of our interest in this matter.

Mr Reville: I am relieved to hear of the minister's interest in the matter, but certainly the matter has been investigated. On 15 April 1988, the nursing assessment committee issued its 11 recommendations, which go directly to the question of patient care. Those recommendations have not been implemented. One nurse said, in exasperation: "What happens if a patient asks me for a glass of water? I won't have time to get a patient a glass of water."

What is the minister prepared to do to ensure that those 11 recommendations are implemented without any further delay?

Hon Mrs Caplan: I will say to the member opposite once again that the provisions of the Public Hospitals Act are clear, that the hospitals and the services they deliver are the responsibility of the boards of trustees, who take their responsibility very seriously. I want him to know that I have confidence in the boards of this province. However, if there is ever a question of concern for patients' safety, I am always prepared to investigate the matter.

1430

HOME RENEWAL PROGRAM FOR DISABLED PERSONS

Mrs Marland: My question is for the Minister of Housing. The 1990-91 estimates of the Ministry of Housing show that the Ontario home renewal program for disabled persons will not receive any funding for 1990-91. This program used to provide loans to home owners for housing modifications that increase accessibility for a disabled occupant. It was so successful that its funding was increased last year. It is hard to understand then why the government would scrap the program. Could the mini-

ster confirm that the Ontario home renewal program for disabled persons has been discontinued, and if so, why?

Hon Mr Sweeney: No, I cannot confirm that. It has not been discontinued. The fact that the budget has not been increased should not be interpreted that way. The honourable member will be aware of the fact that we do have a number of rehabilitation programs available to municipalities and that we are constantly choosing where we are going to put additional funds, but it has not been discontinued.

Mrs Marland: Disabled persons cannot take seriously a government that pats itself on the back at the beginning of National Access Awareness Week and yet has eliminated a program making housing more accessible to persons with disabilities. The fact is that the Ontario Human Rights Commission introduced new accommodation guidelines just last February to increase accessibility in a wide range of situations and services, including housing, but it seems the government of Ontario has no intention of following its own guidelines.

I wonder whether the minister could tell us why this government has not made a lasting commitment to fully integrate persons with disabilities into Ontario society.

Hon Mr Sweeney: I would beg to differ with the honourable member. She is well aware of the fact that my colleague the Minister of Transportation just made a significant announcement with respect to integration for the disabled. She is well aware of the fact that my colleague the Minister of Community and Social Services has a range of programs to integrate disabled people into workplaces and into housing in this province. She is well aware of the fact that we have a continuing program of rehabilitation for the disabled. It is incorrect to say that the program has been discontinued. It has not been.

EMERGENCY TELEPHONE SERVICE

Mr Owen: I have a question for the Solicitor General. Many people across the province are familiar with the 911 emergency phone number, a system that is common in many areas across North America. Unfortunately, as people travel they often do not know what to do in the event of an emergency and they do not know where the 911 is in place and where it is not in place. I would point out to the Solicitor General that the province of Nova Scotia, at this moment, in partnership with the Maritime phone company is proceeding with the plan to provide province-wide 911 service in place by next year, 1991. My question to the Solicitor General is, would he consider introducing a similar plan province-wide for the province of Ontario?

Hon Mr Offer: In response to the member for Simcoe Centre, let me acknowledge the work he has been doing with me on this particular matter. I would like to indicate that the implementation of the 911 service in Ontario has been progressing very well indeed. To date, communities representing about 75% of the population of the province do have a 911 system in place and there is currently ongoing discussion for a further 10% of the province.

I would like also to indicate to the member that to improve the access to service in the province, we are currently implementing a new telecommunications system for the Ontario Provincial Police. With this new system, individuals who require emergency service will be able to contact the OPP through the use of a 1-800 number. Together with the 911 sys-

tem, which is progressing quite well and the implementation of a new telecommunications system, I believe the needs of the people of this province are being adequately looked after.

Mr Owen: The county of Simcoe recently passed a resolution concerning the provision of a 911 service, suggesting or requesting provincial help in financing such a service, particularly in municipalities that have limited populations or limited resources, that greater assistance be made available from the province. I wonder if the minister could indicate whether he is amenable to that proposal from the county of Simcoe and where he would give some extra financial help or incentive where it might be necessary for those particular municipalities.

Hon Mr Offer: The position of the ministry is that the funding of a 911 service is a local responsibility. My ministry does provide assistance to communities in the form of technical consultation in the implementation of such a service. In fact in the Simcoe area we are on a committee that provides that particular service of a technical nature.

I think we will all know of the excellent progress made on the 911 system throughout the province, now covering 75% of the people. Currently another 10% are in some form of discussion. As well the implementation of the new telecommunications system will go towards providing adequate coverage for many people in this province.

USE OF HERBICIDES

Mr Laughren: I have a question for the Minister of Natural Resources. The minister, I would hope, would know that there is evidence mounting which reveals that extensive herbicide use in forests results in trees more vulnerable to disease and insect damage. She should know as well that the Scandinavian countries no longer use pesticides or herbicides in their forests and that in Michigan, Wisconsin and Minnesota they have stopped using herbicides on their national forests. I ask the minister, what percentage of Ontario's forests are treated with herbicides rather than tended manually?

Hon Mrs McLeod: I would not be able to give the honourable member the actual area in hectares that is treated with a herbicide. It is used on a restricted basis in order to keep unwanted vegetation from interfering with regeneration, so it is used of course primarily in areas where there has been a new regeneration effort made. I recognize the concerns the honourable member is raising and would refer those concerns—I know they are being currently dealt with by our department, which is looking very carefully, along with the federal department, at forestry health and how best to deal with the long-term health of our forests.

Mr Laughren: I do not know why the minister would be waiting for the federal government to do something that is clearly within her jurisdiction. The minister, I hope, would know of some of the potential damages that these herbicides cause. They are in fact suspected carcinogens. The ministry uses both Vision and 2,4-D, herbicides that are widely used in the forests. Both have been linked to several kinds of cancer. In particular, 2,4-D is known to leach from thin soils into streams and rivers. What, if any effort has the minister made to decrease the dependency of our forests on herbicides?

Hon Mrs McLeod: In my response to the first question I indicated there was an involvement of the federal government because it also has a very active program of research in the area of forest health and we think we can learn from the work it

does. Our forest resources group in Sault Ste Marie is in fact located in the same area as the federal department's, as the honourable member will know. There is a combining of the research effort so that we can ensure we are minimizing our use of herbicides and maximizing our efforts to ensure our forests are healthy in the long term.

As I have indicated in the House before, we use only herbicides that are registered for forestry use in Canada by Agriculture Canada and also approved by the Ministry of the Environment. I know that both Agriculture Canada and our own ministry look very carefully at any research that suggests concerns about any health impact of the herbicides that are used by the Ministry of Natural Resources.

1440

CAPITAL FUNDING FOR SCHOOLS

Mrs Cunningham: I have a question for the minister of all education. In London these days there is a lot of unrest and concern on behalf of students, parents and school board trustees because we are facing a crisis in school accommodation.

As the minister already knows, there was a request for some 11 new capital works projects, some four new schools for 1991 and 1992. The ministry has seen fit to approve some four sites, recognizing the need, but it has only approved one new school and that is not until 1993. The board has decided to go ahead and do some bridge financing so it can get the school open. The alternatives for these young people are shift times, both in elementary schools and in secondary schools. There are single families having to send three of their children to three different schools. They are renting churches and renting malls. These are the kinds of alternatives that are being faced in London, Ontario.

Is the minister approving of these kinds of alternatives in London or is he willing to reconsider this project?

Hon Mr Conway: I want to thank my friend the deputy leader of the Conservative Party for bringing to my attention something that my colleague and seatmate, the member for London Centre, has certainly brought to my attention, as have my colleagues the member for London South and the member for Middlesex.

I am sure that my friend the deputy leader of the Conservative Party would have told the people of London and Middlesex that over the last four years the Peterson government has allocated over \$50 million to a whole series of school projects in London and Middlesex.

Mr B. Rae: —for London alone.

Hon Mr Conway: I am sure, as my friend the Leader of the Opposition would want me to repeat, that \$50 million is light-years beyond anything the old administration offered in the five or 10 years prior to our coming to office in 1985.

I would say to my friend the deputy leader of the Conservative Party and to the people in London and Middlesex that we recognize that more will have to be done, to the extent that there are growth-related pressures in London and area, and there are. The government of Ontario has given to school boards instruments like lot levies to assist the fast-growth areas with some of the pressures our friend has observed.

Mrs Cunningham: I am sure the minister will be able to tell the citizens of London himself as to his own success levels in building schools across the province, but in London they will not listen to him because in fact they have not needed schools in London in the last decade to the extent that they do now.

I know the Premier is most interested in the minister's response, as is the member for London South, because these schools are in all three of our ridings. I should tell him that the lot levy legislation will not apply to these four schools that are needed immediately. It just does not apply to students who are already in the schools. These families are well located already in schools in London. In the next two years, their siblings and new people will come in and the lot levy legislation will not apply.

I will say this, though: There is a debt load for bridge financing which is not good planning. It is not good fiscal responsibility. We are already doing that. We build capital out of current dollars. We cannot go any higher than a 14.7% increase in the mill rate any more.

The question was before, and oddly enough the same question is, will the minister reconsider the allocation he has already given for one school, considering the alternatives that I have presented to him today?

Hon Mr Conway: What can I say, except two things—

Mrs Cunningham: You can say yes.

Hon Mr Conway: The deputy leader of the Conservative Party is going to send the leader of the Conservative Party into some kind of catatonic fit, because she would spend moneys in ways that the fiscal conservatives over there, including the one who won the leadership race, clearly do not approve of.

I want to say to the deputy leader of the Conservative Party that there was a time in the 1960s when very liberal Conservatives in charge of the Education capital account spent hundreds of millions of dollars meeting very short-term pressures that left the taxpayers, locally and centrally, with thousands of school spaces for which there were no students. The Peterson government is not looking to that as any kind of model for good, long-term planning.

I say to my friend the deputy leader of the Conservative Party that we are intent on meeting the needs, but we see a variety of possibilities. I expect that local trustees will follow their good conscience and make decisions on the basis of effective and efficient use of local resources and local facilities. I will tell her that we have granted over \$50 million worth of allocations to her area boards, that we intend to do more in the future and that we will look for her support as we raise taxes to meet those needs.

PLANT CLOSURE

Mr Neumann: My question is for the Minister of Industry, Trade and Technology. As the minister knows, this morning there was an announcement of a major plant closing in our community. Fruehauf, with 326 jobs at stake, has announced that it is permanently closing the operation in our community. Has the minister investigated this? What factors have led to this closure?

Hon Mr Kwinter: I thank the member for that question and I want to commend him. It is something he has been monitoring for some time and he has been keeping me apprised of the situation. I think members will want to know that in January 1988 Trailmobile of Brantford acquired its larger competitor, Fruehauf, in Ingersoll. Unfortunately, as a result of the Competition Act, the rationalization and the economies of scale that they hoped to implement were delayed because under the Competition Act they were forced to divest themselves of the van operation in Brantford.

Combined with that, the high interest rates, the high rate of exchange of the Canadian dollar, deregulation and the downturn in the economy, they found that they could no longer be viable. They have ownership by the Wanandi group of Indonesia, which has recently restructured its finances and has now achieved 89% ownership. They have personally guaranteed the loans and have decided that in order for this company to remain viable, they are going to concentrate on van production in the Ingersoll facility and are going to subcontract all of the other trucks they make to other manufacturers in Ontario.

Mr Neumann: With the factors that the minister has mentioned, he did not mention free trade. I know the workers in the area are saying that this is related to the free trade agreement in addition to the factors he has mentioned. Did the company approach the minister for assistance? Given the fact that many of the factors he mentioned are federal, is there any possible assistance that the minister could provide or indeed the federal government could provide to turn this around? Is there any hope at all for the workers in the Brantford area? Perhaps the minister could work with the Minister of Labour and come up with some kind of plan.

Hon Mr Kwinter: Executives of Fruehauf have been in constant touch with me. I met with them a week ago and they told me of their situation. I indicated to them that we were very concerned, not only about them but also the other people in that industry, and that we would very much like to put together a package that would rationalize the industry, allow it to remain competitive and allow it to protect those jobs.

On the other hand, it is not my role to go in and get into the trucking business; it is their role. I asked them to come back to me with a program that they felt would keep them viable in Brantford. Unfortunately, and I regret it because I have not heard back from them, today they have announced that they are going to concentrate all of their production in Ingersoll and are going to be closing down the Brantford operation.

AUTOMOBILE USE

Mrs Grier: My question is for the Minister of Transportation. This morning a coalition of environmental and transportation lobby groups got together to announce a major public campaign to reduce the use of the private automobile for the sake of the environment and to reduce global warming. They announced a specific target of reduction of vehicle kilometres travelled by the year 2000.

We have heard from this minister from time to time announcements of highway widenings and additions to transit systems, but we have never heard whether or not he has a plan to reduce the use of the automobile, whether he would support such a plan, whether he has goals or targets that his ministry is attempting to reach. Can the minister tell the House, does he have a plan to reduce the use of the private automobile, and if so, can he tell us what it is?

Hon Mr Wrye: I can say to the honourable member that I would have thought that by now, as the province has laid out, even today in a latest statement, a series of initiatives all of which are designed to enhance the use of public transportation, be it a rail service such as GO, a rapid transit system such as the subway system here in Toronto, or even the use of conventional buses in many of our medium and smaller communities, that the honourable member would know that particularly those areas where omissions are worse and where the overuse of the private automobile probably has negative effects on personal behaviour

of individuals and certainly negative effects on the environment are where we are focusing our attention.

I think more than any other jurisdiction we have indicated very clearly our plan to reduce the use of the private automobile. I could pick a statistic or a figure out of the air and suggest that is our reduction target, but I think what we want to do rather is have in place, particularly in this area, by the end of this century the most comprehensive public transit system that one will find anywhere in North America.

1450

Mrs Grier: I think I acknowledge that the minister has made improvements to public transit. What I was trying to ascertain was, in the context of the Brundtland report, which calls for integration of environmental and economic decision-making, in view of his government's support for a roundtable on the environment and the economy, is there in fact any kind of an overall plan? And if we are to measure whether or not that plan is being achieved, would the minister not acknowledge that perhaps he ought to lay out in fact what that plan is, how he intends to reach it, what his targets are and what his goals are in both the short term and the long term? Does the minister not acknowledge that the call for such a plan from environmentalists and transportation lobbyists is a genuine one and ought to be heeded?

Hon Mr Wrye: I acknowledge quite readily the legitimate concerns of environmentalists and of transportation planners to ensure this province is moving forward in a comprehensive way. I appreciate the honourable member's acknowledgement that we are indeed moving forward in our public transit system. I do say to the honourable member, and I would say to those environmentalists and transportation planners, that we are not going to be able to rid our cities, our province—nor would we want to—of the private automobile.

What we want to do is reduce their inappropriate use, and where they must be used—and that will continue for the foreseeable future—we want to have the proper connections of roadways, the proper volumes of roadways available, so that those cars are not in the kind of congestion that we now call gridlock, which in and of itself can lead to very serious environmental concerns. Obviously the honourable member knows the figures better than I, but certainly those cars which are not stuck in traffic, which are not sitting in traffic with engines idling, are cars which are polluting the environment much less than those caught in the gridlock on some days.

VETERINARIANS

Mr Wiseman: A question to the Minister of Agriculture and Food: Residents of my riding are concerned that they may lose their local vets to more populated areas of southern Ontario if the government decides to withdraw its mileage assistance to large animal doctors in designated areas. Would the minister please tell us the status of this program and also the status of the review he has undertaken?

Hon Mr Ramsay: We are reviewing this program right now. We have extended the contracts of many of the veterinarians who have contracts with us that would have expired in the next couple of months. We have extended those so that we can give a thorough review of that program right across the province.

Mr Wiseman: Farmers in the riding consider this to be an essential service. In one area alone 185 dairy farmers and owners of 22,000 beef cows, and even the minister's own bull

test station, rely on these vets in order to keep in business. This arrangement has been a godsend since 1971 and the cost in the three designated areas in my riding is a measly \$90,000. I understand that in New Liskeard in the minister's own riding they are taking advantage of this very program. Will the minister give us his assurance here today that he will consult with the people concerned before making changes to this program?

Mr Villeneuve: Blame the feds.

Hon Mr Ramsay: I would like to acknowledge the tremendous help that I have from the members I sit with in answering these questions.

I would just like to say that I agree with the member that veterinarian service is an essential service to the agrifood industry of this province. I will assure him that we make sure we have sufficient veterinarian service for our producers. I think it is very important. I want to make sure that service is there so that we can have a viable, sustainable industry.

GO TRANSIT

Mr Adams: My question is for the Minister of Transportation. The people of Peterborough were delighted that the Treasurer's budget contained the announcement of a study of GO Transit service between Metropolitan Toronto and Peterborough. My question to the minister simply is this: What is the status of the study of GO Transit to Peterborough and what are Peterborough's chances of receiving GO Transit service?

Hon Mr Wrye: I want to acknowledge, first of all, the ongoing and tremendous interest of my good friend the member for Peterborough in obtaining such an outstanding service for his community. I can advise him that the terms of reference have been drawn up, are virtually complete, and a number of Ontario transportation consultants will be asked for proposals to undertake the work on the Peterborough study.

I can tell the honourable member, because I know that he wants to make sure that there is local input, that in addition to members of the Ministry of Transportation, local officials from Peterborough and indeed from the other affected communities will be asked to be part of the review that will be undertaken of that study. After the study is completed and the review of that study has been undertaken, at that point a decision on whether to bring GO service into Peterborough will be made.

Mr Adams: I am grateful for that reply. The budget also contained the announcement of the extension of GO service to Bowmanville on Highway 401, which is only a few kilometres from the Highway 115-Highway 401 turn. My question to the minister is, what is the status of the work of extending GO service to Bowmanville and will it be completed before Highway 115 is completed?

Hon Mr Wrye: I know that the honourable member has indicated in the past that he views the extension of the GO service to Bowmanville that was announced in the budget as being an excellent interim step towards what he hopes will ultimately be the extension of GO into Peterborough. I can tell him that CN has agreed and confirmed its agreement to allow the operation of a single am and pm train during the week to Bowmanville, as announced by the Treasurer in the budget. I can advise him that we are looking for a suitable site for a station and that once we have found that site we will get on with the work, which will take several months, of getting ourselves up and running on that GO line. I can say to the honourable member that I expect our Bowmanville station will be chosen and up and running, and the system will be up and

running, well before the completion of Highway 115, which, as the honourable member knows, is slated for 1992.

REFORESTATION

Mr Morin-Strom: I have a question for the Minister of Natural Resources with respect to private land reforestation in the province of Ontario. The minister has been in the process of developing a new private land forestry strategy which will include programs for not only small landholders, but also large industrial ones, such as the Algoma Central Railway.

The ACR is the largest private landholder in the province, holding approximately 1% of the total land of the province. They have indicated in recent years their concerns that their regeneration program is falling well short of the 100% regeneration on their cutover lands. Can the minister tell us when will it be that her review of the proposed enhanced private land forestry program will be completed, and in the interim what is the minister doing to ensure that the ACR adequately regenerates the forest lands that it controls?

Hon Mrs McLeod: The honourable member is quite right. In reviewing a number of our forest management initiatives, we are including in that a review of our private forest land strategies to determine how we could in fact provide additional encouragement for forest management on private lands. I do not expect that review to be complete before late summer or early fall at best, so I cannot indicate to the member that the results of that review would be available in time to respond on an immediate basis to the concerns that he is raising in relation to Algoma Central Railway properties.

1500

Mr Morin-Strom: I appreciate that some progress is being made with respect to the overall strategy. However, in the interim the ACR has been negotiating with her ministry for several years now in an attempt to ensure that adequate funding for silviculture is provided. They are suggesting that it should be derived on a user-pay or beneficiary-pay basis. The ACR will be able to avoid reducing or curtailing harvesting operations on its lands only if an appropriate funding mechanism for forestry renewal can be secured in the very near future. Can the minister tell us what the status of her specific negotiations are with the ACR, and will she be able to give us assurances that those large private landholdings in the Algoma district will have a completely adequate forest regeneration on them?

Hon Mrs McLeod: I know that the honourable member is aware that on private property it is the private property owner that has been responsible for carrying out regeneration. The private property owner is of course able to receive financial assistance through the managed forest tax reduction program, and of course Algoma Central properties have been a part of that program. I believe in this year they would expect to be receiving some \$125,000 through the managed forest tax reduction program.

Private property owners have also been able to receive some financial assistance through the Canada-Ontario forest resource development agreement program. Although that program itself is not in place for this coming year, we will be able to provide, I think, some funding for Algoma Central properties as a follow-up to the COFRDA program moneys that were available.

The honourable member is quite correct in indicating that our ministry is concerned about the situation Algoma Central finds itself in. Quite obviously there is a concern about reduced

harvesting and the effect that would have on the area mill that is particularly dependent upon that source of timber and the effect in turn that the user-pay principle could have upon the dues that are charged for that wood. We are looking at any alternatives that we could provide to be helpful, but I cannot give the honourable member any assurance of what those would be.

WASTE MANAGEMENT

Mr Cureatz: I have a question to the Minister of Municipal Affairs. The township of Manvers, which is in my riding of Durham East, has passed a bylaw forbidding the issuance of any building permits to new proposed subdivisions or anyone who has made application for a land severance, the reason being that the Victoria county waste management master plan was started in 1987 and is expected to take another three or four years in developing an overall plan for the county for the disposal of garbage and waste for those municipalities which are running out of sites to dispose of their own waste.

Waste management planning is taking a back seat to the Minister of the Environment's obsession with recycling. This is now affecting the housing in the province, and Manvers township, as the minister well knows, is not the first township to encounter these kinds of difficulties. Does the minister or his ministry have any plan to give encouragement or assistance to those municipalities, such as the township of Manvers, to assist them with waste disposal so that they can get on with issuing building permits?

Hon Mr Sweeney: I appreciate the honourable member for Durham East drawing this to my attention. I had not been aware of the specific situation that he raised, but he is certainly correct that it is not the only municipality in the province that is facing difficulty in issuing permits for a number of environmental reasons. In some cases it is water, in some cases it is sewage and in some cases, as in the one he mentioned, it is waste disposal.

The difficulty, as the honourable member is well aware, is that the public is much more sensitive to the opening of new waste disposal facilities, in terms of, "We don't want it near us," and the potential contamination of water supplies and things like that. So it is true, it is taking us much longer and it is much more difficult.

The major initiative of the ministry at this time is to support counties that are assuming responsibility for waste management, because we have discovered that counties are in a much better position, because of their broader base and their greater capacity, than are some of the smaller townships or towns. We have been working with counties in a number of places—the member mentioned Victoria as one of them—and we will continue to do so. But there is no easy answer to this question, because I am sure my honourable friend would not want us to provide housing at the expense of the environment in which that housing would be built.

Mr Cureatz: As always, I appreciate the minister's answer, which is in most cases eloquent, no matter to whom he is addressing his response. I am interested, of course, more particularly in my municipality the township of Manvers. The minister indicated through his answer to my first question that his ministry is giving support and assistance to those municipalities that are seeking to alleviate the problems of waste disposal.

We would like to know more specifically what kind of assistance is he giving to those municipalities, like the county of Victoria, to give assistance for the managing of waste. Is the

minister approaching the Ministry of the Environment so that he is putting pressure on that minister, so that they are then in turn helping the various municipalities get on with their waste management programs?

In summation, what is the minister doing specifically to help those municipalities? Is he putting pressure—

The Speaker: Thank you.

Mr Cureatz: —on the Ministry of the Environment and does this now mean the township of Manvers—

The Speaker: Order. That is about six supplementaries.

Hon Mr Sweeney: I would point out to my honourable colleague, and I am sure he is aware of this, that the Ministry of the Environment is in fact working with municipalities to try to move ahead as quickly as possible. He will be aware of the fact that we have recently been working with Victoria county with respect to amendments to its official plan, and my colleague from Lindsay has been supportive of that.

The member will be aware of the fact that we have been meeting with county municipalities to assist them. As a matter of fact, very recently one of his colleagues has drawn to my attention some of the needs of the county of Simcoe. We have met with them recently to try to help them put this together.

The only point I could say very clearly is that there are no easy shortcuts to doing this. It is just much, much more difficult to get waste disposal sites today than it used to be. It is just because we are more knowledgeable of the potential impact on the environment and we just keep working with them.

An hon member: Keep going.

Hon Mr Sweeney: The other thing I would want to say—

The Speaker: That completes the time for oral questions and responses.

PETITIONS

MUNICIPAL REORGANIZATION

Mr Wildman: I have another petition signed by approximately 90 residents of Haydon and Goulais River in relation to the proposal for a municipal organization in that area from the Ministry of Municipal Affairs. The petitioners are requesting that:

"(1) The provincial government not proceed with municipal organization in the Sault North area unless local residents petition the Ontario Municipal Board to hold a local hearing on municipal organization proposals and (2) that if the Minister of Municipal Affairs remains determined to establish municipalities in the Sault North area, that Haydon and Goulais River remain as separate entities."

This brings the total number of petitioners to over 1,000 and I have attached my name to the petition.

AFFORDABLE HOUSING

Mr D. S. Cooke: I have a petition that reads as follows. It is short, so I will read it rather than try to summarize it.

"To the Legislative Assembly of Ontario:

"Whereas quality affordable housing should be a fundamental right,

"Whereas the cost of housing is spiralling out of control for many,

"Whereas rent increases awarded under Ontario's rent review law have not been fair to tenants, and are killing affordability,

"We, the undersigned residents of Ontario, petition the Legislative Assembly of Ontario as follows:

"1. Stop landlords from forcing tenants to pay costs that bring them no benefit; for example, financing costs on 'flipped' buildings;

"2. Lower the guideline minimum increased to three quarters of inflation.

"3. Prevent landlords from making tenants pay for renovations they don't need or want."

This is signed by about 3,000 tenants from Windsor and from Ottawa, and I have signed it.

1510

ACADEMIC CURRICULUM

Mrs Marland: I have the privilege to present a petition which reads as follows:

"We, the undersigned, respectfully request that Mr David Peterson, Premier of Ontario, and his current Minister of Education take heed and expedite the following demands, which are critical to a very large segment of the population of Ontario:

"Immediate steps must be taken to include a course in British studies in the curriculum for all Ontario schools. Such a course would enable young Canadians to appreciate the immeasurable contributions that Canada has received from Britain, the mother country, in countless human and material ways.

"Further, we ask that a program entitled British Heritage be immediately introduced into the curriculum for elementary schools to compensate Canadian children of British origin or background for the fact that no provision has been made for them under the heritage languages (cultural) programs to which all Canadians contribute regardless of ethnicity."

I am happy to add my signature to this petition on which there are almost 1,500 names.

The Speaker: I listened carefully. To whom was that addressed?

Mrs Marland: It was addressed to His Honour the Lieutenant Governor and the government of Ontario.

INTRODUCTION OF BILLS

CLASS PROCEEDINGS ACT, 1990

LOI DE 1990 SUR LES RECOURS COLLECTIFS

Mr Scott moved first reading of Bill 213, An Act respecting Class Proceedings.

M. Scott propose la première lecture du projet de loi 213, Loi concernant les recours collectifs.

Motion agreed to.

La motion est adoptée.

LAW SOCIETY AMENDMENT (CLASS PROCEEDINGS FUNDING) ACT, 1990

Mr Scott moved first reading of Bill 214, An Act to amend the Law Society Act to provide for Funding to Parties to Class Proceedings.

Motion agreed to.

CONSTRUCTION LIEN AMENDMENT ACT, 1990

Mr Scott moved first reading of Bill 215, An Act to amend the Construction Lien Act, 1983.

Motion agreed to.

Hon Mr Scott: The purpose of this bill is to address the decision of the Court of Appeal in a mechanics' lien case called Jerry's Asphalt. The decision of the Court of Appeal in the Jerry's Asphalt case gave an interpretation to the holdback requirements of the Mechanics' Lien Act that had never been anticipated by practitioners in the field, by lien claimants or by owners.

As a result, what is proposed is that Jerry should be allowed to win the Jerry's Asphalt case, but that no subsequent Jerry should be entitled to recover in the way the Court of Appeal permitted in that instance. The honourable members who are familiar with mechanics' lien claims will therefore find that the purpose of the bill is to restore the law the way it was thought to be before Jerry came off the truck and went to court.

CORPORATIONS TAX AMENDMENT ACT, 1990

Mr Mancini moved first reading of Bill 216, An Act to amend the Corporations Tax Act.

Motion agreed to.

Hon Mr Mancini: This bill does not have anything to do with Jerry and Jerry's Asphalt company. It has only to do with tax matters.

MUNICIPAL AMENDMENT ACT, 1990

Mr Wildman moved first reading of Bill 217, An Act to amend the Municipal Act.

Motion agreed to.

Mr Wildman: Subsections 10(3), (4) and (6) of the Municipal Act currently provide that inhabitants of a locality may apply to the Ontario Municipal Board to incorporate the inhabitants of the locality as a township, village or town. The purpose of the bill is to re-enact these provisions to provide that an application for incorporation may be made to the Ontario Municipal Board by either the Minister of Municipal Affairs or the inhabitants of the locality.

ORDERS OF THE DAY

House in committee of the whole.

BUSINESS NAMES ACT, 1989

Consideration of Bill 108, An Act respecting Business Names.

Hon Mr Sorbara: Just to reiterate the purpose of the bill, Bill 108, An Act respecting Business Names, sets out a comprehensive piece of legislation dealing with business names for corporations and partnerships. I beg the indulgence of the House to have officials join us here in the House.

The Chair: Yes, please go ahead. Did you distribute to all your critics, to Hansard and to the interpreters copies of your proposed amendments?

Hon Mr Sorbara: My understanding is that there are a number of amendments.

The Chair: I have some four government amendments. Is that correct?

Hon Mr Sorbara: That is right. There are some four amendments. My understanding is that they have been distributed. I think we can find extra copies. Does my friend have the amendments?

Mr R. F. Johnston: I might. The critic is taken away just for the next few minutes, so he does have them but was unable to give them to me. The table has been able to provide me with the extras, so we are happy to proceed.

The Chair: Hansard has some and the interpreters have some. Does the third-party critic have copies of the amendments?

Mrs Marland: Mr Chairman, you are dealing with Bill 108 and Bill 106?

The Chair: Bill 108 right now.

Mrs Marland: I am not the person responsible for that bill at this point, but I will get someone right away.

The Chair: Thank you. There is sufficient evidence that copies have been distributed. At this point right now, on Bill 108, I have 17 sections. I would like to list the proposed amendments and I will list right now the government's proposed amendments, to subsections 2(5), 2(6), 4(3) and 6(1). Is that correct?

Hon Mr Sorbara: Yes, Mr Chairman.

The Chair: Does the official opposition have any? Not yet?

Mr R. F. Johnston: We have no amendments.

The Chair: You have none? That is formal?

Mr R. F. Johnston: That is formal. There are no formal amendments. As I understand it, there are only government amendments.

1520

The Chair: Fair enough. In that case, maybe we can start with these four and if some other proposals come forward from somebody else, with your acceptance we may backtrack a bit as the case may be. Our first amendment is to subsection 2(5).

Section 1 agreed to.

Section 2:

Hon Mr Sorbara: Mr Chairman, as you indicated earlier, I have just two amendments, and with your indulgence I will move them now.

The Chair: Mr Sorbara moves that subsection 2(5) of the bill be struck out and the following substituted:

"(5) This section does not apply to prohibit the use of a name that contains characters from an alphabet other than the Roman alphabet if the name is used in conjunction with the registered name."

Hon Mr Sorbara: I have just a very brief explanation. As I explained, these amendments were indeed proposed to us by the member for Welland-Thorold. We are grateful for his pointing out an area where the bill could be improved somewhat. I appreciate his assistance.

The subsection as recast permits the use of alphabets other than the Roman alphabet, which is not permitted in the bill as it is currently structured. So it allows for characters to be used. If

an enterprise wants to use a character, this section makes it clear that that is not prohibited as long as it is something that people can understand.

Mr R. F. Johnston: I think that this is an eminently sensible housekeeping amendment to reflect the reality of our multicultural community and the reality that many languages other than those which use the Roman alphabet are in use and would not be used necessarily to obfuscate what a corporation was about, but rather would be a clear representation of what that particular community thought was an appropriate name. I think it is only appropriate that we should do that.

The Chair: Does the third party have any comments on this? Member for Mississauga South, do you know if your party has any comments on this proposed government amendment?

Mrs Marland: No, we do not have any comments.

The Chair: Any other comments before we proceed with the vote?

Motion agreed to.

The Chair: Mr Sorbara moves that subsection 2(6) of the bill be struck out and the following substituted:

"(6) A corporation and such other persons as are prescribed carrying on business under a registered name or, in the case of a corporation, identifying itself to the public under a registered name, shall set out both the registered name as well as the person's name in all contracts, invoices, negotiable instruments and orders involving goods or services issued or made by the person."

Hon Mr Sorbara: I will just point out that we are recasting this section to permit the effect of the provision to be expanded to such persons as are prescribed. As originally cast, subsection 2(6) required that every single entity that used a business name would have to set out the names of the individuals or, in the case of corporations, the corporations behind the partnership.

We just felt it appropriate, particularly for small businesses, that where appropriate we could restrict the requirement of the act. We anticipate that in regulations we will define which partnerships or which business undertakings will have to set out their names on things like contracts, invoices, negotiable instruments and that sort of thing.

Mr R. F. Johnston: I will pose a question on this. Does a corporation with a name include a corporation with a number?

Hon Mr Sorbara: It is a very good question. It is an important question because so often we hear references to numbered companies, and a distinction is often made in the mind of the public between a company, for example, 123456 Ontario Ltd and a corporate name like Acme Business Consultants Ltd.

Under the law, there is no difference whatsoever between the numbered corporation and the corporation that carries the name of Acme Business Consultants Ltd. They are, for all purposes under the law, the same entity. In fact, it may be that an individual, a Richard Johnston, for example, may have two companies, one with a number and one with a name.

There is no distinction under the law, and really the provision of this section says that if either of those entities, a numbered company or a named company, uses a business name other than its corporate name, then, as well as placing its business name on, for example, a negotiable instrument or a cheque, it would also have to include the name of the corporation, whether it was a numbered corporation or a named corporation.

Mr R. F. Johnston: I would gather from this that there is no requirement to identify a person's name when we are dealing with the corporate name or number. It is only when it is a person whose name is the company name that that must be registered. Is that a right gathering?

Hon Mr Sorbara: That is right. Let me just explain to my friend the member for Scarborough West that the underlying principle of this act is that if an entity uses a name other than its real name—now when I say “entity,” I mean a corporate entity or an individual—it must register that name so that others can go to that register and find out what the corporate entity is behind the name that is being used.

For example, if the name Johnston Associates is registered, the individual trying to search out who are the people behind Johnston Associates, which is not a corporate name, could go to the register and find that Richard Johnston is the individual who has registered that name. So the person doing that search can go to Richard Johnston and find out, or issue him a writ or serve him with a letter or register a complaint.

The same rules will apply both to corporations and to individuals. In the case of subsection 2(6), we are setting out a provision that requires that all corporations that use a registered business name—first of all, the act says they have to register—have to set out as well their corporate name on their documents. We say in the amendment that that will apply as well to other business entities, including individuals, in the cases that we prescribe in regulations.

Motion agreed to.

Section 2, as amended, agreed to.

Section 3 agreed to.

1530

Section 4:

The Chair: Mr Sorbara moves that subsection 4(3) of the bill be struck out and the following substituted:

“(3) Only letters from the Roman alphabet, Arabic numerals or a combination of letters from the Roman alphabet and Arabic numerals together with punctuation marks and such other marks as are prescribed may form part of a registered name.”

Hon Mr Sorbara: Again, the subsection, unamended, permits names to be registered only if they are in English or French. The provision as it is recast by the amendment removes this restriction, provided the Roman alphabet is used.

Mr R. F. Johnston: I wonder if the minister can explain why it is that the Roman alphabet must be used instead of other kinds of letters which I can think of from a number of different languages in regular use in the province at the moment.

Hon Mr Sorbara: I think you have to read this in conjunction with the amendment that we moved to subsection 2(5) of the bill, which qualifies that provision, as I understand it. The thrust is to make sure that we are using characters that are comprehensible and registrable.

We are not permitting any marks now. As we originally cast the provision, the bill would have required the use of an English name or a French name but not a variety of other names that are common in business names throughout the province and indeed throughout the country.

What we are doing in this section is ensuring that we can limit the use of a character to recognizable characters, and I think there is a reference in here to characters that can be prescribed. What we do not want is the creation of a totally new

character that is impossible to input into the kind of data banks that we will be using to register these names. In other words, we do not want to leave it simply to the imagination of character-makers to create business names.

Mr R. F. Johnston: Perhaps I could get some explanation. For instance, would the use of an umlaut, commonly used in German terms, be prescribed—I can think of Mövenpick and other kinds of corporations that might use that particular identification. Otherwise it is Roman alphabet except for that particular accent over the letter. I can think of a number of words in Lithuanian which have one or two different characters, from Sanskrit, I presume, as well as the Roman alphabet. Are those all capable of being prescribed, as necessary, because they are from a recognizable language? Is that possible, or would they have to get special dispensation to be there, or are they not permitted at all?

Hon Mr Sorbara: I cannot respond to the specific exactly that my friend has raised, the umlaut. What I can tell him is that we plan on prescribing just as wide a variety as the hardware and software that will manage the registration system can manage.

Our attempt here is to be expansive, but we will be limited by the technologies. For example, if it is machine-readable and it can work in the system, we will prescribe if there is a request. There may be a request. Looking down the road, there may be languages and characters introduced to us in society that we are not familiar with right now. We all know about the umlaut now.

I guess what we want to do in this bill, and that has been suggested, is that the real restriction on use of all those characters, letters and symbols be one that is imposed by the technologies, not by any arbitrary decision respecting a preference for the Roman alphabet.

Mr R. F. Johnston: I respect that notion and wonder what it is within the language of this amendment which would require the decision to be made by technology rather than by some bureaucratic vagary.

Hon Mr Sorbara: What we have is the ability in the amended section to prescribe characters so that as requests are made they can be considered and then put into the regulations rather than have to change the act.

Mr R. F. Johnston: Basically, the point the minister was making was this should be technologically controlled rather than at the vagary of some bureaucrat, and what this says to me is that such marks as are prescribed may form part of a registered name. Normally that kind of language means that those are things that are prescribed in a regulation as a decision for whatever reason, but not necessarily anything to do with the technological capacity to print that particular letter or form or accent. That is what I do not understand exactly by this language, that this is necessarily as generously permissive as the minister seems to indicate it is.

Hon Mr Sorbara: Once again, there is the limitation of technology, and the only way to cast that in a bill—I guess we could make in the section a reference to technology, but that is changing all the time.

Might I just point out as well that there is another part to the question of prescribing marks that may form part, as the amendment says, of a registered name. We also have to have sufficient familiarity generally in the province, one would think, so that an individual can recognize the character and be able to do a name search without actually tracing the characters and bringing a traced version down, if members see what I mean. If, for

example, characters that are wholly unknown to the people of the province are registered, even if they are technologically capable of being input through auto-imaging or whatever into a computer, they might not be sufficiently familiar to the general audience of the people of the province so that we would want to prescribe them. There is that other limitation.

I think my friend will understand that the whole purpose of the Business Names Act is to allow people who are trying to search out the entity that is behind a business name to be able to perform that search. If we allowed characters that were just haphazardly introduced into the record, then it would be very difficult actually to understand it and bring it to a search office.

Mr R. F. Johnston: I understand the rationale; I just want to be clear that the language is doing what we want it to do. I guess I would be fine on this if my understanding of following subsections, subsections 10 and 12, for instance, about notice for appeal, actually allow somebody who has concerns with the registrar's decision on this to take that matter ultimately, I gather, before the Divisional Court. If that is the case, then I guess I do not have any difficulty with this, but otherwise I am not sure the language does exactly what the minister wants it to.

Hon Mr Sorbara: I am sorry. I have the section now in front of me. Could my friend just repeat his concerns about subsection 10?

Mr R. F. Johnston: Basically, what I am hoping to hear is that the question of appealing a cancellation by the registrar of somebody's request for registration of a name for which the characters would not seem to be appropriate—that person has a right of appeal on it, ultimately even to the Divisional Court. Does that affect this particular amendment that we now have before us? If it does, then I guess I feel fine about that. If it does not, if it is to do with some other capacity of the registrar to cancel or end somebody's registration, then I am not sure that we have the kinds of controls over the registrar's office that we might want to have in this matter.

Hon Mr Sorbara: The section my friend is referring to, that is, subsection 4(10), deals only with the cancellation of a name that has already been registered, so it does not help him out there.

Mr R. F. Johnston: Can I ask the minister then why it is that he has not placed in the act some sort of provision for a process of appeal, even on a limited basis, by somebody who wishes to make an argument that, for instance, an umlaut is acceptable whereas a particular registrar at a particular time, in interpreting the regulations that have been prescribed for him, might decide that that is not appropriate?

1540

Hon Mr Sorbara: I understand the problem that my friend is having. The history of registration in this area has not given rise to that sort of appeal. In fact, this act is far more expansive in its permission to go beyond the alphabet that we in this province, using two official languages and a variety of other languages in our marketplaces and our communities, have seen fit to register. In other words, the bill as proposed looks towards incorporating other characters and other forms of registration.

Now my friend says that there should be a section for permitting an appeal. I think administratively that is going to happen. That is the very impact that subsection 4(3) has in the act; that is to say, an administrative appeal to the registrar would be made in the event that someone wanted to register and use

forms that are currently not permitted. He would in fact have to ask that a form be prescribed or a character be prescribed.

I think that, for the time being, we ought to stick to that, and I will tell my friend why. We are doing two things here: First, we are being expansive; and second, we are trying to cope with a very significant new technology.

Part of what is going to happen administratively after this act is passed is that a reregistration of all business names in the province is going to be undertaken with new technologies. To burden that system now with an appeal process on forms that are not currently familiar to us I think would burden us technologically because we would have to expand the computer system to contemplate what might come from those appeals.

So I would ask my friend's indulgence and have him view these amendments as already being expansive and the opportunity for an individual who has a desire to have a particular form registered is to use the political process to try to get that form acknowledged through regulation.

Mr R. F. Johnston: I will not belabour the matter. I will just say that it strikes me that, just for instance, with the expansion of market economies into eastern Europe at this point, where there are a number of different alphabets used and where companies may form themselves and want to bring their name, their recognizable name, to appeal to a local Czech community, to a local Lithuanian community, to a local Russian community here in Ontario specifically, that might be something that they would want to do and maybe this is a time to be expansive about this.

I would just hope that the minister might assure us that in his regulatory process that he will be establishing out of this, which 4(3) basically alludes to, that sort of right to appeal, not in a legal process kind of fashion but a means of making your arguments to the registrar and a second shot, will be part of what he is looking at. That would be fine with me. I just would like us to be sensitive to that reality.

Hon Mr Sorbara: My friend from Scarborough obviously is making a good point. Let me just point out to him, and perhaps this might conclude the debate on the subject—it is an important issue and I do not want to cut it off prematurely, but just to say that those names and those characters and those expressions from other jurisdictions are and will continue to be part of the fabric of the marketplace. As you travel in just about any part of just about any city in Ontario, you see those names being used now.

In conjunction with subsection 2(5), the section that we just amended, those names can be displayed prominently on business premises, for example. The qualification is that under them and in conjunction with them, a business name that is registrable under the act must appear. That does, as I say, do two things: It allows the expression to be used and it also creates a registered name that the average Ontario citizen can look at, identify and search so that he can find the business proprietor or the corporate entity that is registering. I think the balance is a fair one, notwithstanding the good points that my friend has made.

Motion agreed to.

Section 4, as amended, agreed to.

Section 5 agreed to.

Section 6:

The Chair: Mr Sorbara moves that subsection 6(1) of the bill be amended by striking out “the” in the third line and substituting “another.”

Hon Mr Sorbara: The amendment is designed simply to clarify the intent of the subsection and the entire section.

Motion agreed to.

Section 6, as amended, agreed to.

Sections 7 to 17, inclusive, agreed to.

Bill, as amended, ordered to be reported.

EASEMENT STATUTE LAW AMENDMENT ACT, 1989

Consideration of Bill 106, An Act to amend certain Acts with respect to Easements and other matters.

The Chair: There are seven government amendments: to subsection 1(2), two changes there; section 2; section 3; another one for section 3; a third one to section three; and a fourth one to section 3. Is that correct, minister?

Hon Mr Sorbara: There is one additional amendment that is being proposed, and I believe that the Chair has been provided with a copy of it. Did you say seven amendments, Mr Chairman?

The Chair: I count seven, yes.

Hon Mr Sorbara: You may have better information than I, Mr Chairman. I am informed that there are seven, so we should just proceed.

The Chair: Mr Sorbara moves that the definition of “Ministry of Government Services” in subsection 106a(1) of the Registry Act, as set out in subsection 1(2) of the bill, be amended by striking out “Her Majesty in right of the Ministry of Government Services” in the first and second lines and substituting “Her Majesty the Queen in right of Ontario.”

Hon Mr Sorbara: I think the amendment speaks for itself.

Mr R. F. Johnston: For a brief second, the Monarchist League got worried and I got excited, but there is nothing to be excited about.

Motion agreed to.

1550

The Chair: Mr Sorbara moves that the definition of “public utility easement” in subsection 106a(1) of the Registry Act, as set out in subsection 1(2) of the bill, be amended by inserting after “sewage works” in the second line “steam or hot water distribution system.”

Hon Mr Sorbara: I hope that I can open and close it by saying that we wanted to be more precise, and this is a bill where precision is everything, so we are eliminating the reference to sewage works and replacing it with a reference to steam or hot water distribution system.

Motion agreed to.

Section 1, as amended, agreed to.

Section 2:

The Chair: Mr Sorbara moves that the definition of “public utility” in subsection 195a(1) of the Municipal Act, as set out in section 2 of the bill, be amended by inserting after

“sewage works” in the second line “steam or hot water distribution system.”

Motion agreed to.

Section 2, as amended, agreed to.

Section 3:

The Chair: Mr Sorbara moves that the definition of “public utility” in subsection 9a(1) of the Ministry of Government Services Act, as set out in section 3 of the bill, be amended by inserting after “sewage works” in the second line “steam or hot water distribution system.”

Motion agreed to.

The Chair: Which one of the other three are you going to move?

Hon Mr Sorbara: How about if I move the second one? I am going to move an amendment dealing with a reference to government public utility and the Ministry of Government Services. Are you close on that one?

The Chair: There are two talking about government public utility.

Hon Mr Sorbara: They are very similar.

The Chair: The definition of “government public utility,” or “government public utility easement”? Which one?

Hon Mr Sorbara: They are almost the same. Why do I not just try one out and take it very slowly?

Mr R. F. Johnston: Do the one without “easement” first.

Hon Mr Sorbara: That is the order we have. The member can follow along.

The Chair: Mr Sorbara moves that the definition of “government public utility” in subsection 9a(1) of the Ministry of Government Services Act, as set out in section 3 of the bill, be amended by striking out “Her Majesty in right of the ministry” in the second line and substituting “Her Majesty the Queen in right of Ontario.”

Motion agreed to.

The Chair: Mr Sorbara moves that the definition of “government public utility easement” in subsection 9a(1) of the Ministry of Government Services Act, as set out in section 3 of the bill, be amended by striking out “Her Majesty in right of the Ministry” in the second line and substituting “Her Majesty the Queen in right of Ontario.”

Motion agreed to.

The Chair: Mr Sorbara moves that subsection 9a(9) of the Ministry of Government Services Act, as set out in section 3 of the bill, be amended by striking out “Her Majesty in right of the Ministry” in the fourth and fifth lines and substituting “Her Majesty the Queen in right of Ontario.”

Motion agreed to.

Section 3, as amended, agreed to.

Sections 4 and 5 agreed to.

Bill, as amended, ordered to be reported.

On motion by Mr Sorbara, the committee of the whole reported two bills with certain amendments.

LIQUOR LICENCE ACT, 1990

Mr Sorbara moved second reading of Bill 175, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor.

Hon Mr Sorbara: I am very pleased to be able now to move second reading of Bill 175 and to begin debate in principle on this bill.

I must tell my friends in the House that, as I do so, I am really being asked in my capacity as Minister of Consumer and Commercial Relations to bring to a legislative end and completion a process of revisiting and renewing our laws on the licensing of liquor establishments in the province and bringing them up to date after a process that has really taken about three and a half years to complete.

In doing so, I really want to begin by giving credit to a number of people who really got this process under way a long time ago. My friends will remember that back in 1986 the government appointed the member for Mississauga South, the current Solicitor General, to chair a task force to review our liquor legislation.

1600

Mrs Marland: Mississauga North.

Hon Mr Sorbara: I am sorry; I apologize to my friend the member for Mississauga South. I am referring, of course, to the member for Mississauga North. At that point, he was asked to undertake a comprehensive study of our liquor laws in the province.

He was joined in his efforts by the then chairman of the Liquor Licence Board of Ontario, Mr Drinkwater, and the vice-chair of the Liquor Control Board of Ontario, Ulrich Ferdinand. Gordon Cressy was on that committee as well. He is now with the University of Toronto. At that point, he was the vice-chair of the Liquor Licence Board of Ontario. Representatives from the Addiction Research Foundation were on the task force, as well as a number of others, including the current chair of the Liquor Licence Board of Ontario, Andromache Karakatsanis.

That task force did very extensive work, not looking at particular items so much as looking holistically at the whole business of liquor regulation in the province. They visited some 20 communities. They received over 700 briefs. They held hearings extensively around the province. They consulted with organizations far and wide, including public health organizations, certainly police organizations, and just about anyone who had an interest, no matter how peripheral, in the business of regulating the consumption of beverage alcohol in the province.

The member for Mississauga North, in his capacity as chair of that task force, reported to the province and to the government in early 1987, if my memory serves me well. The report was debated around the province. I think it was generally acknowledged to be a very comprehensive, a very thorough and a very timely report. It really did set for us in the province an agenda for changing our laws relating to beverage alcohol.

The bill we are considering and debating now in second reading is the transformation of the Offer task force work into legislative language. That is not to say that everything contained in the report is reflected in this bill. Some of the things the Offer task force recommended have been rejected by the government; we have not been prepared to accept them. That is understandable. That happens in a number of cases when those sorts of studies are undertaken. Others have already been implemented. They have been implemented by changes to the regulations. I think, for example, of the change to hours for

consumption in licensed establishments. Others will be brought in under new regulations that I propose to present to the province in the coming months.

What Bill 175 does, and I think it is very important to understand what this bill does, is that it gives us the capacity as a province to exercise, not a stricter control or a less strict control in the area of liquor regulation, but a better control. It creates some more modern and flexible regulations that give us the capacity to ensure that our objectives in controlling the consumption of what, after all, is a very powerful drug remains of the highest order and, at the same time, we can give the province a flexibility that we simply do not have under the act as it exists right now.

I would like to go through some of the major points of the bill. You will recall, Mr Speaker, because I know you followed along the work of the member for Mississauga North and his task force, that there was some discussion about the question of the age of consumption. That has been a debate that has gone on not only in Ontario but in a number of other jurisdictions for a number of years.

The government ultimately determined that it was appropriate in this province to make no change to the age of majority for the purposes of the consumption of beverage alcohol, although some had suggested that we bring the age of majority for these purposes down to 18. Others had suggested that we change it and return it to a past era when the age was set at 21.

It is a difficult question; these are always judgement calls. But we wanted to do two things in these provisions of the bill. We wanted, first of all, to ensure that we could enforce the provisions of the law dealing with the underage drinking and the age of majority for drinking purposes, so we have done two things. First of all, we have created offences within the act which make it very clear that owners of licensed premises—that is, the licensee—must not allow the consumption of beverage alcohol in his or her premises by people who are under the age of 19. So, for example, we close the loophole that exists under the current act.

In addition to that, we have included an amendment to the Human Rights Code because there was some uncertainty as to whether or not an individual who was 18 years of age could have made a successful claim to the Ontario Human Rights Code that he or she was being discriminated against because of the provision under the Liquor Licence Act that says you cannot drink until you are 19 years of age.

Interjection.

Hon Mr Sorbara: My friend the member for Scarborough West refers to the charter. In the charter there is the saving provision which allows discrimination that is appropriate in a democratic society. Section 1 of the charter, one could argue, would allow a province like Ontario to set the drinking age at 19, but under our own Human Rights Code, there is no such saving provision. Indeed, there was a case before the Ontario Human Rights Commission which was to the effect that an individual had claimed that he had been discriminated against because at 18 years of age he was not allowed to drink in the province. My honourable colleagues in the House know that in our own Human Rights Code it is permissible to discriminate on the basis of age so long as that person is 18 years of age or under, or over the age of 65.

To be very clear, we wanted to make sure that the drinking age established in the province is and will be 19 years of age, so we are proposing an amendment to the Human Rights Code.

This is an example of what Bill 175 will do when it is finally enacted. It makes the law clearer and it gives us the ability to exercise better control over beverage alcohol.

Let me give members some more examples. Special occasion permits have been a subject of interest to just about every member in the House. I cannot imagine that there is a member in this House who has not had one of his or her constituents come and say that he or she applied for a special occasion permit and was denied the opportunity to get that permit by the Liquor Licence Board of Ontario.

There have been some problems with special occasion permits. Indeed, if you ask the Liquor Licence Board of Ontario, it will tell you that it is one of the areas where, if they are going to arise, problems will arise; that is, problems with overindulgence, abuse, accidents arising out of overconsumption under the umbrella of a special occasion permit. Indeed, I think the Offer report suggested that special occasion permits be eliminated altogether.

We have not taken that suggestion. We have instead given ourselves in the bill an opportunity to control better the issuance of special occasion permits and indeed the ability to revoke permits. My friends will find that in the bill and, interestingly and importantly, the ability to disqualify premises if there is a history of abuse at the premises under the authority or jurisdiction of a special occasion permit.

The board does not currently have that kind of capacity. I frankly believe that it needs that kind of capacity. It needs to be able to identify a problem, a problem establishment, a problem hall, and to say to anyone who applies for a licence to have a special occasion event at those premises that the board is not prepared to issue it.

1610

Not only is that an important tool that the board needs to control abuses under special occasion permits, but it also sends a very strong message to hall owners and premises owners that they will not be able to rent their facilities for these kinds of occasions if they are not going to exercise the kinds of controls we expect in this province in the service of beverage alcohol under the authority of a licence.

We are doing the same thing in the area of delivery licences. This has been a subject of some debate, I think. There was reference in the report of the Solicitor General to it. I should tell members that currently the authority to deliver beverage alcohol, spirits, liquor of any sort, purchased at a wine store, to a private home or to a business establishment is under the authority of a licence issued by the Liquor Control Board of Ontario, not the Liquor Licence Board of Ontario. We are changing that in Bill 175.

We think it is inappropriate that the liquor control board, which is actually the retailer of spirits in the province, issue these licences. What we want, for anyone who has a licence of this sort, is to understand issues relating to what may and may not be done under the authority of a licence. It is not a matter of retailing. It is not an extension of the retail operation. We are in a sense licensing as we license establishments. In doing so, we will ensure that people who apply for those licences understand what the restrictions on their ability to deliver are.

There have been suggestions that we not have delivery licences in the province. I have heard that suggestion but I reject it. I reject it because although I acknowledge there is the potential for abuse, particularly among young people, this capacity to have a delivery service is something that can be of great benefit to individuals who, for one reason or another, are

restricted in their access and are often housebound. We will change the provisions and bring the authority to issue so-called delivery licences to the LLBO and I think have a better control on that whole system.

In the bill we are also bringing foreign manufacturers under the authority of the Liquor Licence Board of Ontario in a way that currently they are not. To give members an example of the way in which this new provision will affect manufacturers, I should tell them that domestic manufacturers, whether they be manufacturers of beer, wine or spirits, must by virtue of the laws that now exist comply with the advertising regulations instituted by the board under its authority under the current act.

As a matter of law, foreign manufacturers do not have to comply with those provisions. Generally they are good corporate citizens and they do comply. They voluntarily submit their advertising material for consideration by the board and follow any rules or interpretations that the board makes, but we feel it is appropriate that the new bill be clear, as I said, about how we exercise control, and that is precisely what this provision will do in respect of foreign manufacturers.

This is also important, I should tell members, because in a world that more and more will become dominated by a freer, more open trading environment, whether it be under the free trade agreement with our friends to the south or under the General Agreement on Tariffs and Trade, we will see greater international competition both for our own manufacturers selling their products internationally and for foreign manufacturers selling their products in Canada. It is most appropriate that a domestic manufacturer not be constrained by laws that foreign manufacturers do not have to abide by, and this provision will change that.

I might also point out that the new bill gives what I think is a better definition of where an individual can consume beverage alcohol in the province. I know, Mr Speaker, of your interest in wines, and you probably are familiar with the provisions of the current law, which state that you can consume one of your favourite wines either in a licensed premise or in your own residence.

But there are a lot of private places where, to be frank, wine or other beverage alcohol is consumed and that represents a technical violation of the law. That may be in a private office. If you invite friends into your office and you offer them a taste of a particular wine which you have just secured from one of our great Ontario wineries, there is some question under the law as to whether or not you could do that in the privacy of your office. There are a number of other private places where we feel it is not offensive to the general population that the act be specific and clear, and we have redefined "private place" in keeping with that sort of principle. This arises from recommendations not only in the Offer report, but in so many other studies that have been done.

This is one of the areas where we are really modernizing the bill, giving ourselves a greater amount of flexibility. Members will recall that years ago licensed establishments were rather darkened places. One could not look inside the window because one thought that one would be scandalized to see people sipping their favourite wine, spirit or beer. We have come a long way since then and I think it is for the better. We now have patio licences so that one can enjoy a meal on the sidewalk in Toronto or Sudbury or Windsor, and while doing so enjoy a glass of wine or perhaps some spirits or some beer.

This provision respecting private places also reflects that kind of realization of a more modern and more appropriate way to deal with the regulation of where one can and cannot drink,

but members should notice that we are talking about private places. This act does not permit, and will not permit when it is given royal assent, the consumption of beverage alcohol in public places, because that is what the people of the province want. We have always had very strict laws in this province about public drunkenness and the consumption of beverage alcohol in public places. The theme in this bill is consistent with that trend in the province.

Another area that I think is of importance in our ability to more effectively control is specific provisions in the bill dealing with boating and the consumption of alcohol on boats. When the original act was passed years and years ago, the predecessor of Bill 175, we did not have a boating tradition like we do now in the province. This bill is very clear about where we are going. We take boating and drinking as seriously as we take drinking and driving. The act is very clear. The consumption of beverage alcohol in a moving boat is as serious as the consumption of alcohol in respect of driving. It is a no-no. It is forbidden by this act, and this is a very important provision, particularly among law enforcement agencies which have asked us to be very clear on this provision. This bill does that.

Does that mean that one can never drink on one's boat? No. Where a boat is anchored, where it is a residence as well—that is, it has all the indicia of residence—and it is not a moving vehicle under any circumstances, then yes, one can use the boat for that purpose. But any consumption related to a boat as a vehicle is prohibited by the act and I think that is a very important step in making sure that we have the enforcement capability to eliminate drinking and boating in the way in which we work towards eliminating drinking and driving in the province.

1620

The bill also eliminates what is referred to in the current law as interdiction orders. This, as well, I think is a very important provision in Bill 175, not so much that it is needed to affect a reform of the way in which we control, but to eliminate an anachronism in the law.

Under the act as it stands now—Mr Speaker, you may not have been aware of this—the Liquor Licence Board of Ontario has the jurisdiction and the capacity to name individuals; as the expression goes, to use an interdiction order to identify a person and prohibit any licensed establishment or any liquor control board in the province or any Brewers' Retail or beer store in the province from selling the person named in that order any form of beverage alcohol. Of course, historically the way this was done was that individual's named was circulated to all licensed establishments. Imagine that, how archaic that sounds to us now in the era of human rights and the protection of privacy and the Charter of Rights.

The list at one point in our history was rather extensive. Indeed there were, I am embarrassed to say, entire bands of our native people that were named in these interdiction orders. We are removing that from the law so that any name or any group that is currently on an interdiction order will be eliminated by this amendment. I am very proud to say that it is part of the bill and will be part of the law when the bill is passed.

Just a couple of more things, Mr Speaker, to indicate to you and to my friends in the House that the bill provides for an increase in the size of the Liquor Licence Board of Ontario from seven members to nine members. This reflects an expanded workload of the board in hearing applications and in hearing proposals that licences be taken away. I should point out that all of the members, except the chair and the vice-chair

of the board, serve as temporary members so that they are taking time out from their own workdays to participate in hearings and have been asked to serve sometimes five, six or seven days a month.

This has become an unacceptable workload, and having additional members there will ease the workload on the current members. It does not, by the way, increase the cost of managing that board, because to the extent that the workload stays the same, the workload will just be distributed among more people and the same per diem rate is proposed to be paid.

We have changed as well in the bill the provisions relating to public hearings in the event of an application. We are doing that for two purposes. First, we are making it easier for individuals in a community to make an objection to the issuance of a licence and to do so by writing in to the board, having seen a notice in conjunction with an application, rather than actually physically attending a public hearing. At the same time we are setting out in the bill a provision that if there is no objection to an application, then there is no need to hold a public hearing. We find more and more that after a notice has been published in a newspaper, a public hearing is announced and nobody comes.

It is foolish to waste public resources in that way, so the only time we will actually hold a public hearing under the bill is when someone objects, but as I said we will make it easier to object because we will allow people to register their objection in writing, rather than attending personally.

How will that work in a typical community in Broadview-Greenwood or in Scarborough West? A notice will appear in a local paper, a notice will appear on a building, and community members will see that. There will be in that notice an address where an objection can be launched. If that objection is filed with the board, then that objector and everyone else in the area, through advertisements again, will be notified of a hearing in which the objectors can lodge their complaints and of course where the applicant will have to defend his application. We think this is a fairer process and at the same time a more expeditious process for all concerned.

Finally, we are changing the appeal process to streamline it by eliminating an appeal to the Commercial Registration Appeal Tribunal. The truth is that we have seen over the past several years that applicants who appeal a judgement of the liquor licence board are taking their appeals to the Commercial Registration Appeal Tribunal and going through the whole exercise again. Indeed in some instances—not every instance—the initial hearing before the board has been almost used as a discovery process preparatory to the appeal to the Commercial Registration Appeal Tribunal.

We think that in terms of administrative law we should make the provisions dealing with appeals similar to appeals from any other quasi-judicial body—the LLBO is a quasi-judicial body—and we are setting out in the bill an appeal to the Divisional Court like every other quasi-judicial body of that type.

At the same time we are putting provisions in the bill that allow the board to do a reconsideration if its decision was based on a misapprehension or some minor administrative matter and a rehearing or reconsideration is more appropriate than an appeal. After all, in a number of instances the applicant before the board is a small business, its resources are limited and we do not want to saddle it with an expensive administrative process. We are putting the provision in the act to allow for a rehearing.

Those are all the elements of the bill. I think those are the substantive elements in the bill. I reiterate once again that this bill creates administrative flexibility. It gives the province

through the liquor licence board the ability to exercise better control of its responsibilities. We are increasing, for example, fines in respect of licensees who breach the law.

I did not mention and I do want to mention this if I could in this debate. We are putting in provisions for server training. Licensees and people who work in licensed establishments will have to understand the law. Server training does not mean training as to how to carry a tray of champagne from the kitchen to the table without spilling it. Server training means—

Mr R. F. Johnston: In some cases, this would be useful.

Hon Mr Sorbara: In some instances, my friend the member for Scarborough West says, it would be useful and I agree. I have a great deal of respect—I think he does as well—for the people who work in our licensed establishments. Server training really means an understanding of the law and how to identify, first of all, whether a person is intoxicated—it is against the law to serve a person who is intoxicated—and how to say as a waiter in a licensed establishment, “I am sorry, sir, I am sorry, madam, the law requires that I not serve you another drink.” Training as well for managers and owners of establishments will be part of the new system in the province once this bill is passed and the regulations are put into place.

As I was saying, there is another example of better control, more modern control, greater flexibility, more appropriate penalties and all in all, I think, a very good piece of legislation.

The bill has been consulted on very, very extensively. We really do go back to the days of the Offer task force and even before that. After his work was done, there was a lot of consultation around the province and once the matter was considered by cabinet, there was additional consultation by the board. Indeed even in the drafting of the bill there was consultation with organizations like the Addiction Research Foundation and the hotel, motel and restaurant association to make sure that we were doing, as I said, a better job of control, not so much a stricter or more cumbersome job of control, but better control. After all, under the provisions that deal with establishments of this sort and our general responsibility to effectively licence what, as I said, is a very powerful drug and subject to a great deal of misuse, not only in our society but in so many societies, we think that we have got it right. I encourage my friends to read the bill, to consider it, to have a vigorous debate on it and to pass it as expeditiously as possible.

1630

The Deputy Speaker: Any questions and comments on the member's statement? If not, do other members wish to participate?

Mr R. F. Johnston: Rather than putting questions to the minister, who has a wrapup capability, I would like to make some comments and allow him to respond to those.

If my ego were slightly larger today, I would probably even say that there are not enough people here to listen to me and that we might want to call a quorum, but I would not want to do that because of the headache I have, which could not stand the bells. But perhaps some members who may be watching this on television may want to come in on the threat of quorum. That might be enough to get them in for this particular speech.

It is a shame that the Solicitor General is not here today to hear the praise coming from his colleague about all the work he has done in preparation for this particular bill, much of which I commend, much of which I find appropriate. But I have some major concerns with it which I would like to get tabled today.

The first is mine personally and I do not think necessarily reflects the concerns of my caucus in its entirety. But I do want to get it on the record. I know there is a lot of public pressure out there to increase the drinking age. The government is withstanding that and in the mixed message that it is trying to send out with this bill, of seeming to be more mature as a society and opening up some aspects of drinking and at the same time being respectful of the very large concerns people have about the misuse of alcohol in our society, it is trying to strike a balance. And the balance they come up with on the age factor is to say, “Let's hold it at 19.”

I have real problems when we start to differentiate in law between the rights of adults. I just say to anybody in this room who actually believes that it makes a major difference whether 18 or 19 is the age at which somebody should be allowed to drink, “Balderdash.” If they think they are going to control misuse of alcohol by that artificial distinction, I say, “Balderdash.”

But when a government moves to change our Human Rights Code in this one area and says that in this one area there is a distinction between an 18-year-old as an adult and a person who is younger than that, who is therefore considered a child in terms of the Human Rights Code, that we are going to change that for alcohol consumption, I say that is a dangerous step to take.

A child at 18, one would presume, rather than an adult in terms of his right to be able to drink, has the right to be able to go to war for this country, has the right to be elected to this House, has the right to be able to make the decisions to pass the law which says that a person could not drink at the same age. There are reasons why we have chosen that age of majority.

One can make the false arguments around the distinctions for high school students, for instance. One of the arguments always raised is that, “If you make this age 19, then you're not going to have drinking at high school dances any more.” Well, we are dreaming in Technicolor if we think that is the case, and have more problems with coke probably than with drinking in many of the high schools that we have got in our province today anyway.

But the point is this: All our laws around juvenile delinquency, crimes that a person is responsible for in our society, all are based on the age of 18. It is now our accepted notion of certain rights of adulthood. When we start to devise a double standard for something which is so socially acceptable as drinking alcohol, given the amount that is drunk in our society—and I am one of those drinkers myself—I would say that is a dangerous kind of way to slip under public pressure to deal with what is a very major problem in our society, which is the abuse of alcohol.

So I am concerned when I see not just the continuation of the age 19 distinction, but the actual amendment of the Human Rights Code in a tiny, little subsection of this bill to set a precedent that we can now, where we think it is necessary, change the rights of adults in the province of Ontario.

The minister, when he was speaking in response to an interjection of mine, said, “Well, you know, the federal charter does not guarantee somebody who is an adult that he can't be discriminated against.” That is true, but there has to be an unusual cause for the rights to equal service to be denied someone. I would suggest that the misuse of alcohol, whether it is by an 18-year-old, a 25-year-old or a 60-year-old, is no reason to change the law in terms of what we are expecting of a person to be a full adult in our society.

Again, not expressing the feelings necessarily of my caucus or the members of this House, but on my own personal opinions about this, I would just say that I worry when we start to derogate the rights of adulthood in our society because of some public pressure, which is rightfully concerned but misplaced in terms of this attention.

The other thing I wanted to say is there are two major areas I want to focus on, although there will be a number of areas I will touch on.

The first is the notion that much of the power of this bill is regulatory. If we turn to the regulation section of this bill, we will see a long list of regulatory powers, enormous and sweeping powers for a non-elected board in this province to make decisions around alcohol consumption and the interpretation of this act. Not only this, but I would also suggest that, within the regulatory power and the vagueness of some of the language in the act, I am not clear that the public accountability of the hearing process is as adequate as we would want it to be. I would like to make a special plea to the minister today to consider some changes to section 7, to not leave it as understood under the regulations in terms of the notices that are given out around the requests for liquor licences, but put it right in the act, what we are talking about when we are saying we are going to let people know what is happening in their communities.

More and more, you cannot rely on people, in a large metropolitan area especially, to know that a prospective licensee is requesting a licence in his community. If you are in the city of Toronto, not everybody wants to read the government ad which may appear in the *Globe and Mail* or the *Toronto Star* notifying us of some request by a prospective bar or whatever that it wants a licence. Your eyes gloss over when you look at the incredible amount of advertising there is already in those papers.

Hon Mr Sorbara: Not in the new *Globe*.

Mr R. F. Johnston: I have some difficulty with the new old *Globe* myself.

Ms Bryden: He doesn't advertise in the *Globe*.

Mr R. F. Johnston: But I would say to the minister that even if the government did advertise in the *Globe*, as my colleague is saying it does not so much any more, the problem is the government relies on that and then the posting in a window to let people know what is taking place.

I would suggest that the principle that is often used around municipal changes and notification for the Ontario Municipal Board might be the kind of thing we should look at there. Some kind of definition of a circumference, of the notification within a circumference around a particular proposed outlet or service area, restaurant or whatever, needs to be within the act, not within the regulations. In other words, I am saying something like everybody within a 500-metre circumference of a particular proposed restaurant or bar should have the right to be notified of that request directly. In that way, the next part of the minister's provisions would then make all the sense in the world.

This idea that people would no longer have to appear in person before the Liquor Control Board of Ontario to be able to register their complaint would make sense. The idea that, if nobody complains at all, you do not have to have a process after that makes all the sense in the world, but only if you have that kind of notion of a direct information arriving at my door in east end Toronto that yet another licensee is making a request along the strip in the Beaches. There are 21 or 22 just along that little strip of Queen Street East at the moment.

So I make this appeal to the minister because of what we notice now taking place, that nobody is really checking as to whether that posting is taking place any more in the building. Often it is not in the window. I know that the member for Beaches-Woodbine, who has been working on this issue for a long time, will want to talk about that with some particular examples.

1640

There is no enforcement mechanism for saying that somebody is actually going to go out and check to see if that prospective licensee has now put the sign up in the window to notify people. Again, if you miss that day that the newspaper ad appears on the 76th page of the advertising supplement in the *Toronto Star*, or wherever it shows up, then you have missed your chance to actually complain.

This becomes a serious concern in another area. I do not know if the minister has been approached on this or not, but I have been approached recently by a group of women in North Bay. Their concern was about the mixing of alcohol and sexual stereotyping and sexual degradation in terms of strip clubs and other kinds of adult entertainment that are available now in Ontario. Their concern raised with me was that they got no notification to their door that a prospective licensee was not just somebody asking for a liquor licence, but was in fact somebody who wanted to open a strip club with alcohol down the street from their home. They felt that they had a right to know about that and then to enter the process of appeal. I would suggest to the minister that that is a very good example of why this kind of notification of people on a regular basis that something is coming along for the community needs to be done.

You can say that the local municipality may through its bylaws identify that kind of an adult entertainment facility and then notify people. It is under no obligation, however, to do so; it may or may not develop those bylaws. I would suggest to the minister that it would be very helpful and very democratically appropriate if the Liquor Control Board of Ontario made sure that people in that area knew what it was that was coming into their home district.

That is the first thing I wanted to raise with the minister, that I think it would be appropriate to have an amendment under section 7 that would try to be a little more specific about this whole question of notice.

The second thing I want to raise is the minister's hope that his appeal process will now be more efficacious than it has been in the past. I would say to him that I understand the intent and I accept the good intent to try to make that process more meaningful. But I worry very, very much that if we do not have proper notice and clear capacity to identify people who wish to complain as having standing in that process, then we are going to be in difficulty here.

Members will notice that under the regulatory powers the right to determine who has standing or not is left with the LCBO. A number of people surrounding a proposed outlet may be against that taking place. They may then, by happenstance, one way or another, learn about it and make their appeal. But just because they have made their appeal, that does not give them automatic standing, as I understand it, before the LCBO. That seems to me to be something that should be laid down in law. Why? Because the only appeal now that is available, now that the government has taken away the ministry's board as a second sort of quasi-judicial body, is the Divisional Court.

We know what the Divisional Court is allowed to look at. It is not allowed to look at the merits of the case. It is not allowed

to hear new argument or new petitions signed by local residents against a particular outlet or other kinds of concerns they may have. It can only look at, and this is spelled out in the act under subsection 25(2), "An appeal under this section may be made on a question of law only."

So what we now have is a flawed approach to even getting an appeal. You may not even get yourself, as a local resident, before the LCBO to complain about a particular proposed outlet. Then you lose that appeal and you now cannot take it to another quasi-judicial body and argue your merits again, which, rightfully, the minister has said has been done in the past by people who could not get their arguments together quickly enough before the board for whatever reason and felt that the other board had more power to actually hear them than did the LCBO, which is one of the psychological factors that was involved.

But now that is going to be ruled out and those people are only going to be able to go to Divisional Court, where they will need lawyers to argue points of law only and will not be able to talk about what they see as one of the crucial parts of this bill, which is the ability to rule out a licensee when it is seen to be adversely affecting the public interest and the needs and wishes of the residents of the municipality.

If we want that to be meaningful, then we do not want this to be something which is not spelled out well in legislation, that is only left to regulation, that uses words like "residents of the municipality" instead of identifying specific people who live in an area adjacent to a particular prospective problem that they see coming into their own community.

I would just suggest that by the time we get to committee of the whole—I presume this will not be going out for further public hearings—perhaps the government would look to a little more precise language that clarifies that right to appeal.

One of my major concerns, however, is with regard to what is a very small matter within this bill. It is section 38 and it is regarding advertising. It is a tiny section. I encourage members to look at it. It is a very vague section which, again, deals with the regulatory rights of the LCBO to control the kind of advertising that surrounds liquor. "No person shall advertise liquor except in accordance with the regulations." That is basically the meat of it.

We all know about lifestyle advertising. We all know how widely that is used in beer advertising especially, and wine advertising of late, on our TVs as well as in posters and other means of advertising in the province of Ontario. If this were totally new legislation and new regulations were forthcoming that I could look at in my hands right now and see what those regulations would say, perhaps I would feel less worried about this section than I do. But I do not have the regulations for all these subsections that are listed in this act. I have no idea what they are going to be except for advertising.

In April this year, the LCBO produced its advertising guidelines. I do not know how many members have read these guidelines; the member, for instance, who used to be the Minister without Portfolio responsible for women's issues. The absence of any discussion of sexual stereotyping and sexist advertising is just blatant to anyone who looks at this. When you think about the ads we are now seeing on TV, with the absolute misuse, inappropriate use of women's bodies to sell booze and the unwillingness of our government to say anything specific about that, either in terms of the act that it is providing to us today or in terms of the guidelines that were passed in April, I would just say that it is missing the boat on some very invidious and insidious kinds of things taking place now around

the selling of booze in this province and the use of women in an inappropriate way to increase those sales.

These guidelines from April of this year range through a whole number of things. There is an awful lot of time spent about dealing with the juvenile and how these guidelines must not in any way at all show that a juvenile or an under-19—sorry, an adult of 18 years of age and a juvenile—might be involved in advertising. That is not permissible.

It even deals with the use of children's fairy tales, nursery rhymes, songs, fictional characters; all those kinds of things are not allowed in the advertising either, and there is some good reason for that. But there is not one mention in here about sexual stereotyping, about the kinds of ways that women are now being used to sell liquor in Ontario. I cannot believe that. I find that amazing in today's world.

1650

There are some good examples of what is available, and there have been in the last number of months and the last year some incredible contrasts available for us in terms of how different jurisdictions have looked at inappropriate advertising.

I can think of some recent beer ads by Miller that were seen to be inappropriate by the TTC and were taken out of the bus shelters within days of a complaint being registered. Yet the LCBO told women who phoned and complained about that kind of advertising that there was nothing it could do and there was nothing in its guidelines to preclude that kind of advertising.

The guidelines that have been accepted by the TTC as of March 1990, after considerable consultation with women's groups in the city of Toronto, now have standards, including guidelines regarding sex role stereotyping. Then they go through a whole list of things that you must not do in terms of ancestry, race, ethnic origin, etc. We will not find those things in the guidelines of the LCBO today.

The city of Toronto has now also passed a report as of late 1989, in which it has established its advertising guidelines for advertising commissioned by the city of Toronto. It indicates as follows: "That advertising commissioned by the city or appearing on city property should not exploit the bodies of women or men, boys or girls solely for the purpose of attracting attention. Their presence must be relevant to the advertised product."

I ask the minister to think about some of the TV ads that are being used today in the selling of beer and wine. Some of them are so small and subtle that you almost do not notice. There is that wine advertisement that many members have seen because it has been on so much of late, in which there are two couples sampling a bottle of wine. At one point one of the men says, "Ah, it's got good legs," and immediately the camera shoots to one of the women's legs. It is just a small, tiny, little subtle kind of thing, one would say, but basically it has nothing to do with the product and everything to do with sexual stereotyping, and the LCBO has nothing to say about it.

I would just suggest to the minister, especially with his background in that other ministry, that it might be appropriate to indicate to me before this is over that either we are going to have some regulatory change and these guidelines are going to be beefed up substantially or, as a major statement of where we stand in this province, in that section 38 we might get some sort of statement about the kinds of things that we do not want to see and then guidelines are developed by the LCBO to deal with those kinds of things.

At the moment it is free and easy. Anything can be done. If we look at the kind of standards that have been established by the Canadian Advertising Foundation, we will see that it is

basically very, very weak and not very useful in terms of what we should be looking at, but they are the kinds of things which unfortunately the LCBO has been dealing with up to this point.

I want to ask about a couple of smaller matters, if I might. One is about the definition of hospital. Members will note under section 36 that a police officer who finds a person apparently in contravention of subsection 31(4), that is, intoxicated in a public place, may take the person, instead of into custody and to a station, to a hospital for treatment. The next subsection deals with the fact that nobody who deals with those people in a medical fashion can be charged for not having a criminal charge against that individual who has been found but rather has dealt with him or her only in terms of his medical needs.

Maybe this is my paranoia that is showing itself here, but I wonder if the minister can tell me what the definition of hospital is there. I do not see a definition of hospital in this act. I worry about how this may be used in terms of other kinds of things, around psychiatric institutions, around quasi-hospitals that exist.

I am wondering if we do not, as a minimum here, need to talk about some sort of definition of the general hospital so that we understand that we are talking about people coming into emergency wards because the officer making a decision says, "This person needs medical help immediately and I am not going to take him down to the station. I am going to get him that help right away," rather than—and I am not saying this would be done—leaving it ill defined, as I would see it at this point. If the minister can make me feel better about that, I would be happy about it.

A small matter, which is totally personal and necessary, is that I do not find any coverage here at all in terms of maternity wards for prospective fathers who want to take a small bottle of champagne with them for a child that may be coming into the world in the next little while. The definition of a private place may or may not include the delivery room or the recovery room or perhaps even a semiprivate room. Perhaps the very fact that one might be in a semiprivate room might stop one from having a celebration of the miracle of birth.

Speaking quite personally as somebody with a vested interest in this, I would hope that the minister might get the regulations for that cleared up some time before the first week or so of July. It would be quite helpful for me. I promise that we will not serve the newborn directly and I would hope that even indirectly my wife would not run into difficulty on this.

I note something under the area of confidentiality—and this is the last small matter I want to raise, because I am not sure what this matter means. Matters of confidentiality and secrecy always raise little red flags for me. I read this section to say that, "Every person engaged in the administration of this act shall preserve confidentiality," which one would presume normally would be a good thing.

Hon Mr Sorbara: What section are you reading?

Mr R. F. Johnston: I am sorry. This is section 49. Then you come to subsection 49(2) and you find that, "No person engaged in the administration of this act shall be required to give testimony in any civil proceeding with regard to information obtained by the person in the course of the person's duties except in a proceeding under this act."

I do not know if this is normal practice and the normal way that our privacy and confidentiality commission operates. Perhaps it is in regard to the sort of confidentiality of somebody who is involved in collecting information around presumably a

licence or something like that and cannot use some of the other information he may have gathered in that or in some other kind of civil proceeding.

But I am wondering, and maybe the minister can get this clarified for me, whether or not it goes the other way as well, that is to say that if during the proceedings someone felt that inappropriate information was taken, was inappropriately used, and then tried to launch a civil suit against the individual who he thought might have been doing that, he would not be able to take that information into a civil court dispute because that person would be able to claim confidentiality at that point. This is more a point of information, but perhaps the minister can find out for me just exactly what would be entailed in that section.

Let me just conclude my remarks by saying that there are many parts of this bill which I welcome. There are some parts which I know other members are going to want to address in terms of some protections around this whole home delivery kind of extension that is going on. I think that is appropriate and I will leave it to them to raise those kinds of matters. But I am desperately concerned about the two areas that I raised with you today, besides my own feelings about the inappropriateness of derogating from the rights of adults.

1700

First, we should guarantee in the body of the act, not in the regulations, that people will get really good notice about what is taking place, and the people I am talking about are residents in an area surrounding the proposed restaurant, bar or whatever.

Second, we might want to tighten up the language around advertising so that in this bill we will specifically indicate that this kind of sexual stereotyping and sexist kind of use of advertising that we are now seeing in lifestyle advertising will not continue and will not be tolerated.

If the minister cannot put that into the body of the bill, then I would like some guarantee that we will be throwing aside these advertising guidelines that have been produced this spring by the LCBO, that we will have a public process where women's groups, the Ontario Advisory Council on Women's Issues, the Ontario women's directorate and other groups in the community, can get their say in terms of developing appropriate guidelines that can then become the appropriate law and control on what I see as a flagrant disregard for the dignity of women in this province in our liquor advertising today.

Ms Bryden: I would particularly like to commend the last recommendation of the member for Scarborough West that we do have public hearings and an inquiry on what should be in the advertising guidelines, particularly as they affect women and the picture that is portrayed of women in many of the ads.

I think that is an area where the original regulations that were issued earlier this spring have erred or have been very much lacking. It is an area where we must get the minister to commit the government to having this kind of a public hearing on the advertising regulations as they affect women.

I will be dealing with other matters in a later speech, but I particularly want to emphasize the importance of that part of the member's speech.

Mr Runciman: I want to indicate at the outset that our party is going to be supportive of the legislation. We have some concerns that are relatively modest ones. We do not think the bill should be referenced to committee and we will support referral to the committee of the whole.

When we are in committee of the whole, we will be moving one amendment which has to do with the home delivery and the

training required of servers. As you know, Mr Speaker, the legislation requires a training program for individuals employed in serving alcohol beverages, and we are going to move that this also apply to those individuals who would be involved in home delivery of alcohol products.

We think that is important and there is a bit of a contradiction in the sense that someone working in a bar or restaurant should have this training but someone delivering it to an individual's home residence should not require the same kind of training. As I indicated, we are going to be moving that particular amendment during committee of the whole deliberations.

We have contacted a variety of interest groups that are directly impacted upon by this legislation. I think there is general support for the initiatives that the government has brought into the House through this bill. We want to talk briefly about a couple of things, though.

I know the member for Scarborough West was talking about advertising in his particular concerns, but I find it somewhat ironic when you take a look at the fine that was applied to Labatt's brewing company a couple of months ago, I think it was, for some promotions that the ministry found offensive, or at least the LCBO or LLBO found offensive and fined Labatt's \$500,000.

I find it ironic in the sense that I think it was two weeks later that a contractor, I believe, was fined for failure to maintain an elevator properly. The elevator malfunctioned and an individual was killed as a result of that malfunction. I think that elevator contractor was fined something like \$19,000 or \$20,000. It was a modest amount in any event, especially when you compare it with the fact that a life was lost versus the fact that Labatt's was promoting the drinking of its Blue Light, I think it was, and it was nicked \$500,000.

It just does not strike me as the appropriate thing. Something is wrong when a life is lost and that costs the contracting firm a few thousand dollars and Labatt's goes out and promotes its beer perhaps a little more actively than it should have and it is fined \$500,000. Something clearly is in error, and I am not sure where that should be corrected; I would suspect on the elevator side of it. I think the Labatt's fine was way out of line, and I think, again, both of these areas fall under the Minister of Consumer and Commercial Relations and hopefully he will be taking a look at them.

The minister mentioned special occasion permits and the fact that numbers of us in this House are getting calls from a variety of groups and individuals who are concerned about what the government is doing in respect to the issuance of special occasion permits. I share some of those concerns. I know that those in the tourism industry and the hospitality industry were very strongly opposed to what they saw as an increasing use of special occasion permits and, as a result, that having a damaging impact on the private sector. Hotels, etc., were losing that particular business, wedding receptions, etc., to people who were renting a hall, taking out a special occasion permit and running their own bar.

The government has moved in that area and I think it has done it in a heavy-handed way. They have overplayed their hand. I think what we are talking about in many instances are volunteer groups who have had no history of difficulty in respect of violations of the Liquor Licence Act. They have done well, they have complied with the requirements of the act, they have had no difficulties, no disturbances, no complaints to the police, complaints from neighbours, etc. Still they are being faced with increased harassment from the ministry and its offi-

cials in respect to the operation of a bar under a special occasion permit.

I want to encourage the minister. We agree with the tightening up in respect to the issuance of SOPs, but we think that he has to approach this in a less heavy-handed manner. Once an SOP is issued, we cannot be jumping all over these people, who in most instances are good, valuable members of the community. In many instances they are volunteer groups that we are talking about, and these people are getting very upset, very upset indeed, and with, in many instances, a great deal of justification.

I think the fees have been increased in respect of SOPs—again, an offensive increase, but we have seen that happen across this Liberal government in terms of fees for licences and a host of other areas where it has really looked at every revenue-grabbing opportunity and really stuck it to the consumers of this province, increasing fees and licence fees, etc; 600%, 700%, 800% is not uncommon.

This is another area where we are talking, in many instances, in rural communities especially, of groups which do not have an awful lot of money to pay for these things, which are not making a great deal of money but are providing a service in their community. Again, they are being hit hard and I hope the minister and his staff and other officials in the Liberal government will take a fresh look at what is happening in respect to the issuance of SOPs, the cost of SOPs and the way they are being policed once they are issued.

I talked about the amendment. I want to talk a bit about agency stores. Our party issued a report—I guess it was back in the fall of 1985-86, it may have been the spring of 1986—in respect of some things we would like to see happen in regard to the sale of alcohol products in this province. One of them was that we encouraged the increased use of agency stores in areas that were not being well served by LCBO or Brewers' Retail. These were communities that were remote and residents of those communities had to drive great distances to secure products.

Agency stores have been in use for some years in northern Ontario. They operate out of grocery stores, hardware stores, airport terminals and what have you. We felt, looking at the rest of Ontario, eastern Ontario perhaps especially, and some of the more remote rural areas, that agency stores could fill that need without the opening up of a full-blown LCBO outlet or encouraging the Brewers' Retail to install a beer sale outlet in that particular area, and indeed the government has adopted our recommendation. I think there are at least four new agency stores being established or have already been established in eastern Ontario.

1710

We welcome that move, but there are some disturbing rumours floating around, in rural eastern Ontario in any event, about the fact that the government is going to take this one step further and start to close down some of the rural LCBO outlets and replace them with agency stores.

I want to go on the record as expressing a great deal of concern about that kind of an initiative and the impact it is going to have on communities. It may indeed be a cost-saving measure, I do not know, but I think that it is going to have a damaging effect on small communities in Ontario, rural communities in this province, and I hope that before the government and the minister make that kind of a move they carefully weigh the implications, not just on their ledger sheet and the bottom

line for the LCBO, but also on the impact that that is going to have on those small rural communities.

I guess the problem is that we see Metropolitan Toronto and the urban areas having the bulk of the seats in this Legislature and having much more influence and rural communities, by and large, seeing a declining voice, a declining role in terms of importance in government decisions in the province of Ontario.

That is indeed regrettable, and I hope that members on the Liberal side of the House who represent rural ridings will at some point, perhaps in this debate, or if not in this debate, perhaps they can express their concerns to the minister personally about what is being rumoured, in any event, the fact that in rural Ontario we are going to see a considerable number of LCBO outlets closed and replaced with agency stores. We certainly, as members of the Progressive Conservative Party, would not support that kind of initiative and we would oppose it very vigorously indeed, and I want that on the record.

This may be somewhat controversial in respect to a position, but there is an element in this bill which is going to be toughening up restrictions, as I read it, on passengers in private boats, indicating that they are not going to allow the consumption of liquor on private boats while being used as a means of transportation. It is a difficult one, because what it does in essence is ignore what is really happening out there, and I am not sure that there is a strong element of common sense in this.

If we want to focus on the driver of a boat, as we do on the driver of a car, I think that is appropriate. We can all agree with that. But if others, and I think we can take a look around this assembly, happen to be out in a boat, we will say, for the sake of an example, a 23-foot boat, they are out having a pleasant afternoon on a Saturday and the passengers on that boat want to have a beer, for example, what the government is saying is, "We're not going to allow that."

That is baloney. The reality is that that is going to happen in any event. Why do we not recognize the reality and really crack down on the people who could indeed create a problem and create a dangerous situation, and those are the drivers. I think that this applies to recreational vehicles as well, but perhaps even more so to boats.

I simply wanted to put that on the record. I do not suspect that the minister is going to change that at this point in time, but from the perspective of the Progressive Conservative Party, we think this is again going overboard—no pun intended—and it is not going to recognize the reality of the waterways and the fact that most of the folks in this House—I only have to hark back to a former Solicitor General, the member for Kingston and The Islands, who got himself in a great deal of difficulty a couple of years ago because he thought it was quite natural to take a case of beer out in a boat in the St Lawrence River. One mistake he made, the really big mistake he made, was that he did it in an OPP launch, and of course he had to give up his position as Solicitor General.

But if you recall that situation, a couple of weeks after he was out in that OPP launch having a few drinks with, I think it was the superintendent of Scotland Yard and a few other dignitaries, he got up in this House and made a statement decrying the consumption of alcohol on boats in the province of Ontario. Really, talk about hypocrisy, and I think that this suggestion here is hypocrisy.

Mr Kerrio: No, no, come on now; he was talking about drivers.

Mr Runciman: I agree with the member for Niagara Falls. Let's concentrate on drivers. I want to ask him, has he ever had a beer in a boat? Sure he has.

Let's be realistic, let's be honest, let's use a little common sense here. Crack down on the people who are creating problems in society, but not this heavy-handed approach where anybody who is in a boat can face charges because he is simply relaxing there and having a beer while he has his fishing pole out, trying to catch a bass. I wanted to put that on the record. Certainly the members of my caucus are concerned about that kind of an initiative and the fact that, as I said before, it is ignoring reality and does not really use a lot of common sense.

I want to talk very briefly again about something that is not incorporated in this bill, but that is of course the beer in corner stores. I guess it would be interesting to hear the minister make some reference to that at some point during this debate, if indeed he will, but when we hark back to 1985, there were two major issues in the campaign then, at least it seemed so to me. One was separate school funding and the other was the provision of beer in corner grocery stores. As we know, the Liberal leader at the time, and still the Liberal leader, promised that he was going to do that and it did not happen.

Mr Callahan: Yes, but you guys defeated it.

Mrs Fawcett: You voted it down.

Mr Runciman: Of course, the Liberal members like to say it was defeated, but the reality was that was in a minority government situation. They have been in a majority situation for, what, three years now and we have not seen that legislation reintroduced.

In my maiden speech in this House, I supported beer and wine in corner grocery stores. Later on, as critic, I became much concerned, not necessarily about the social aspect but about the economic impact. But at the same time, I have never really had good answers from the brewing industry and others as to why, for example, Quebec can do it and Ontario cannot. If Ontario does it, it is going to have such significant ramifications for the brewing industry and the closure of breweries and the loss of thousands of jobs and an inundation of foreign imports, but that has not happened in Quebec. I would still like to get some good answers on that, and I would like to hear something from the minister with respect to why, with a majority government, this minister has not brought in that kind of legislation. He ran in 1985. He was a candidate in 1985. He was here voting for the legislation as a member of the government during that period of time. Have his feelings changed? We would certainly like to hear.

Back in 1986, as I said, we suggested an alternative which was not going to see a significant growth in outlets for alcohol products but would provide perhaps increased efficiency in terms of meeting consumer needs, and that was through the idea of off-premise sales. That is an idea that has been utilized in a number of provinces.

Mr Kerrio: Back to the bill.

Mr Runciman: I do not know if the member for Niagara Falls understands off-premise sales, where you can go into a hotel, for example, and you are able to buy a limited number of beers, for example, a 12-pack, from the hotel, rather than having to go to a Brewers' Retail Store. We still favour that kind of an approach. We think it would more than adequately meet the needs of consumers of this province.

I think, as I indicated at the outset, we only have the one amendment, and that has to do with the training for those in-

dividuals who will be involved in home delivery. Generally, we are supportive of this legislation. We have no great deal of difficulty with it. We would like to see a number of other initiatives undertaken in the not-too-distant future, but, as I indicated, we will be supporting the bill.

Ms Bryden: I am very interested in this legislation, because I have been in the Legislature for 15 years and during those 15 years I have seen considerable changes in the liquor licence regulations. I think this kind of legislation requires a very careful examination, because liquor has become a very important subject in our society. I think most people will recognize that it has become much more prevalent than it was, say, 20 years ago. It has produced many problems as a result. The Offer report, on which the minister says this revision of the Liquor Licence Act is based, had this to say on page 18 in looking at the overall problem:

1720

"Beverage alcohol regulation involves dualistic and, at times, contradictory goals: the provision of access to beverage alcohol for the enjoyment of responsible drinkers and the prevention of problems associated with irresponsible use. The attainment of these goals necessarily involves a balancing of interests. Public order and public health issues must be weighed against the public desire for reasonable access to alcohol and the economic interests of the hospitality industry and the beverage alcohol producers."

I question whether this new legislation does recognize the interests of the public in the problems related to alcohol. To me it looks like legislation that is written for the hospitality industry or the beverage alcohol industry to give them as free a hand as possible to open up as many outlets as possible. We all know that the proliferation of outlets does have an effect on our society.

The preface of the Offer report states, "Detailed estimates are lacking concerning the extent of other alcohol-related social problems"—it has just referred to the drinking and driving problems—"such as family disruptions, alcohol-related aggression, absenteeism and low productivity." I think we have to realize that we are dealing with a bill which we should look at in its effects on both the public and the industry, and I must say that my impression of this bill is that it gives far too much power to the government and to the liquor licence board to decide what our liquor regulations shall be. There is far too much left to be done through regulations and there is far too much glossing over of the problems that alcohol creates and the desire of members of the public to be consulted on licensing of premises in their neighbourhoods.

In my area 15 years ago, there was very little notice given to the residents about an application for a liquor licence. In fact, there were instances that I quickly learned about where the residents had had absolutely no notice of an application for a liquor licence until the licensed premises opened. It was only after many delegations to the minister—I think the then Minister of Consumer and Commercial Relations was Frank Drea—that the residents had established that there should be a notice on the premises to let the neighbours know that there was a liquor licence proposed in their neighbourhood.

After that notice was established, we found for a few years that it was observed, but lately there has been no enforcement that I can see of that requirement of notice. In fact, sometimes the applicant hid it behind bushes in front of his premises. At other times it did not appear at all. I am told that the liquor

licence board is supposed to see that they are posted and do the posting itself, but I have noticed premises with no posting.

This law enables a member of the liquor licence board to grant an application if there are no objections. It does not say how many objections it has to have before it will grant a hearing, but if there are no objections, it can go ahead and grant a liquor licence to an applicant. This is abolishing the system of public hearings on all applications which we have had in the past and saying that only if there are one or more objections will they consider a hearing.

How will the residents of the area know that there is an application? The notice on the building may be enforced and noticeable enough, but we have had no experience in the past that this has happened. The notice in the paper is simply ludicrous as a notice to the public. In the first place, it only appears in the *Toronto Star* in the metropolitan area. People read other papers in the metropolitan area.

Second, it appears under the anonymous heading of "Notice of a Public Meeting." Not everybody twigs that this is a liquor licence application notice.

Third, it often appears only a few days before the application is to be heard. We know that residents in the area may be seriously affected by that application. It may change their lifestyle. It may change the whole neighbourhood atmosphere. It may bring all sorts of traffic to their neighbourhood that they do not have now have. It may limit the parking in their neighbourhood because there will be visitors to the establishment. It can affect their life in many, many ways. It will also expose the children in the area to the presence of many licensed premises. This has happened in my own district. Within about two blocks there are something like 15 to 20 licensed premises.

If the residents do not have sufficient notice and if the notice is not sent to a large enough area of the neighbourhood, they will not know about the applications and we will be back to the bad old system where there were practically no public hearings on liquor licences and the residents were left discovering that the licence had been granted after the event.

I support very strongly my colleague the member for Scarborough West in his demand that this part of the act must be amended to provide for much better notification of applications. It must require that the notices come well in advance of the application hearing, at least two weeks, perhaps three weeks, to give them time to get the word around to their neighbours and to organize written submissions, as are required under this act, in order to get a hearing. Otherwise, there will be no hearing.

I would think that really the advertisement should be much more specific and should appear in at least two newspapers in the community.

The advertisement should also tell them about the types of licences that are being applied for, whether it will be beer and wine or adult entertainment or full dining-room and lounge licences and that sort of information. Right now, until they actually see the details of the application in the call for the public hearing, they do not know these details.

1730

Finally, the new act retains the old act's statement that the residents must be able to establish that the licence is not in the public interest. I am quoting from Bill 175. They must be able to establish that "the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located." That clause was in the previous act as well, but the words "in the public interest" have never been defined. In recent years the board

appears to have interpreted "in the public interest" very much in its own way, and if the residents cannot show that there will be real upset in their lifestyle or noise or other disadvantages of the licence, the licences appear to have been granted regardless of the residents' complaints.

The board refuses to consider parking problems. It says that is simply a municipal problem, which it is not. A new liquor licence in an area always brings additional parking and additional requirements for garbage collection and removal of litter and things of that sort. It also often requires additional policing because the people who come out of the establishments are not always law-abiding, especially after they have had drinks.

I think this bill must include a definition of "not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located." I think that to give one member of the board, as this act does, the power to grant an application for a liquor licence unless he or she has received written objections from some residents, is giving far too much power and not involving the community in the question of how many liquor licences we should have in an area and whether the kinds of liquor licences that are granted for each area are compatible with the neighbourhood.

A residential neighbourhood is not a suitable place for a strip joint and is not a suitable place for noisy adult entertainment. A beer and wine licence is perhaps more suitable for an area of restaurants and family homes. There is more to the public interest than just whether or not there will be disruption of the community. They must look at the other things such as the effect on the lifestyle of the people in the area.

I think also that the question of patio licences must be considered separately. Patios on private property are outlawed in the Queen Street East strip in my area due to the neighbours having got together. They managed to pass a bylaw through the council of the city of Toronto to the effect that patio licences on private property would not be allowed. The reason is that patios always create noise, especially at closing time, and disrupt people's quiet enjoyment of their property when it is in a residential district or when it is a commercial strip that abuts on a residential district. There should be special rules for patio licences, and they should not be granted as part of a regular liquor licence. They should have special hours for opening and closing, as well of course as hearings on them in order to see that the residents' rights are considered as much as the rights of the restaurant or bar owner.

The question of sidewalk licences in sidewalk cafes, or boulevard restaurants as they call them, on city property is another thing that the liquor board should, I think, deal with only after the city approval has been given rather than deal with it in advance and then say, "If the city approves, they can have a boardwalk cafe." This takes up a lot of time of people going down to the liquor board to protest against a boardwalk cafe, because the city may also agree with their complaints and not grant the licence. I think it should be that the city approval should first be obtained and then they should go to the liquor board to see if the liquor board also approves a sidewalk cafe.

Members may say that we are opposed to people enjoying themselves in the summer outdoors. I think there is a place for sidewalk cafes if the sidewalks are big enough—in most of the residential areas they are not—and if there are early closing hours so that people's sleep is not disturbed by the operation of the sidewalk cafe and by the breaking-up time when people come out and get into their cars. They should not be getting into their cars if they have been drinking heavily in any way or do

not have a designated driver in the group. I think the whole question of considering the needs and wishes of the residents of the municipality is very inadequately dealt with in this legislation.

The main objection I have is that the clause relating to the licensing of premises says that the rules for the holding of hearings and for the requirements of notice are all in the regulations section. Well, the regulations section is a real demonstration that this legislation is not the kind of legislation that we need to control the sale and use of beverage alcohol.

The regulations section under the old act, I think, had about 27 clauses in it and practically anything could be done under that regulations section that the act mentioned. It covered 29 pages. I have here a copy of the 1988 consolidation of the Liquor Licence Act. There were 29 pages of regulations attached to it and almost anything affecting the sale of liquor could be done through regulations by the government.

We all know that a regulation is simply something the government has the power to pass, to publish in the Gazette and to cover with an order in council authorizing it. But in most cases the public never hears about these regulations until they are gazetted and until they see what has been put in the regulation. They are ultimately tabled and filed as regulations, but the public has practically no input on those regulations.

I would like to ask the minister, as the first thing that he must tell us when he replies to the speakers in this debate, when are we going to see the regulations that will go with this bill? It is a bill that is almost completely to be administered through regulations and I think that is a very dangerous precedent to be setting. I am afraid that this Liberal government does more and more of its legislation in this way and by its extensive regulation powers really cuts the Legislature out of having a say on a subject such as the regulation of liquor licensing.

1740

Let me just read some of the powers that are allowed under the regulations section, which is section 62 of the act. "The Lieutenant Governor in Council may make regulations...prescribing anything that is referred to in this act as being prescribed"—but as I say, practically every section of the act says this will be done by regulation—"governing the issuance, renewal, transfer and expiry of licences; governing the issuance and expiry of permits;....exempting any person, product or premises from any provision of this act or the regulations"—that is a very sweeping power; it can exempt anybody whom it chooses to exempt—"...controlling the advertising of liquor or its availability for sale and requiring that advertisements be subject to the approval of the board."

My colleague the member for Scarborough West has already mentioned that the advertising of liquor is entirely left to the regulations and that there must be more opportunity for the Legislature to write into this legislation the kind of advertising it would like to authorize. I think to leave it to the licensing board to decide this is to leave it entirely to a group that is more interested in catering to the establishments that it licenses and in seeing that they have the maximum opportunity to advertise their product than in considering the effect of the advertising on groups, such as women, who are exploited in such ads, or in considering the advertising and its effects on our lifestyle and whether it really encourages the increased consumption of alcohol.

That is just one of the many powers under the regulations that are provided for. There are actually 34 paragraphs dealing with regulations and they all give huge powers to the govern-

ment. I think quite a number of these points should be written into the act. The first one is the prescribing of the means for giving notice. Section 7 simply says that if an application is received, notice must be given "in the prescribed manner." It does not say anything about the actual posting of notices or whether there should be a notice going out to all the residents within, say, a 500-metre radius of the application.

It is neighbourhoods that are affected by the regulations, particularly on commercial streets in residential districts. I think that regulations must be written into the act and we will be proposing an amendment to that effect.

The other paragraphs of the regulations also allow the government to prescribe the rules for proceedings before the board, which may or may not mean bringing board meetings closer to home. Right now, practically all hearings are held down at the Liquor Licence Board of Ontario main offices on Lakeshore Road, which is quite difficult for people to have access to, certainly by public transit, or other means at present. The rules for proceedings before the board usually mean that the hearings are held at 9 in the morning and 2 in the afternoon in the daytime. There are practically never any evening hearings and the hearings really should be in the neighbourhood of the applicant. You could have a school that would cover two or three neighbourhoods, but the whole process should be brought back to the people so that they can have a say in the process.

The other things that are in the regulations authorize the board to regulate and control the possession and delivery of liquor under a licence or permit. This will control the taxi deliveries. Again, I think we have to be very careful if we are extending the sale of liquor beyond the liquor board premises to other agents. I agree that we do need more agencies in the remote or rural areas. In the distant areas where there are not close liquor stores, we do need agents. I think we should make liquor available to people in those areas, but I am very dubious about the idea of taxi delivery, especially in big cities where people can find their way to a liquor board without too much trouble. The taxi will encourage deliveries after hours and then encourage people to prolong parties or to come out at very late hours under the influence of liquor. I think we have to really examine those regulatory powers and require the spelling out of very many of them.

It says here that one single member of the board shall consider an application and, "If, after giving notice of an application," and that means just as provided by the regulations, "the board receives no written objections," he may go ahead and approve the licence or, second, "direct that a proposal to review the application be issued."

I cannot see anything in the act that says a proposal to review the application will be advertised or how it will be advertised. Presumably he will have to notify the residents in the same way as he would notify them about the initial application if there are any objections. So it would appear that while this looks like an alternative form of hearing, the methods by which it will be advertised to the public are really not spelled out. It looks to me as if the act is defective in not saying what happens if the board member directs that a proposal for review be issued.

The same individual member of the board "may specify any conditions" to attach to the licence which are "consented to by the applicant." What if the member wishes to specify conditions that are not consented to by the applicant? Does he still have the power to specify such conditions, or is it strictly a negotiation process and either you get your licence and consent or you do not get your licence?

It seems to me he should be looking at the conditions based on whatever he has learned from the other people who are affected, such as the residents of the neighbourhood, and at that stage he should specify conditions. That is another area which needs clarifying.

1750

Then when you get to the question of transfers of licences, it would appear that we are back to the old rules which are now in effect, that a transfer of a licence does not require a public hearing and does not require a notice to the public in the area, in the neighbourhood, that there has been a transfer requested unless there has been a substantial increase in the number of seats requested.

The transfer could perhaps be to a different kind of operator who has been operating different kinds of bars in other parts of the city; more of a pub rather than a restaurant, for example. I think the residents have a right to know what kind of applicant is seeking a transfer and what kind of operation he or she intends to operate. They should perhaps even be required to submit sample menus and sample information about entertainment provided, if they are asking for a transfer of a licence that includes entertainment.

Of course, if they want any additional licences, I presume they do have to make a separate application for that. But a transfer of a licence has been a bone of contention for many, many residents in my area for many years. They feel that all of sudden they wake up and discover that the licence of A has been transferred to B without their receiving any notification at all and sometimes with some increase in the number of seats allowed.

Incidentally, I think every application and notice should indicate to the residents what number of seats are being requested, as well as the kinds of licences and whether a patio is being requested. But I would urge that there should be separate rules and separate hearings for patios because of their special requirements.

The requirements for hearings are, in my opinion, very defective and should be the first item that the minister should consider in amendments. If he is not prepared to bring them in, I am sure that we will be bringing them in, but I would hope that there will be a consensus in the House that we do need to get back to the provision of adequate notice to the people affected and adequate opportunity for public hearings.

We still have to recognize that even public hearings are not costless, and yet the residents usually do not have lawyers to appear, and sometimes they are greatly inconvenienced by the applicants coming with lawyers and taking up a great deal of time. So I think we have to not only give the applicants some opportunity to have the hearings in their own neighbourhood, but possibly give them the opportunity to have some public funding to appear, if it looks like the other sides are going to be bringing lawyers and prolonging the time of the hearings.

We do that in many other hearing situations, such as environmental hearings—whether a licence should be granted to a company that wishes to proceed under the Environmental Protection Act to bring in a new plant or a new operation, or a new highway. I think that under a liquor licence, too, the public should have an opportunity to be funded.

On the question of special permits, I do think also that there is a trend by the present government to limit the number of special permits to the licensed establishments and to not issue them to groups, including social groups, bowling clubs and charitable groups which wish to have fund-raising events, and

political parties which also have fund-raising events. I think that class of persons should not find it as difficult as it appears to be now to obtain a special occasion permit, as long as they abide by the rules to operate the special occasion under proper control of the sales and proper control of the proceedings so that there are no disturbances and no need for calling in the police in any way.

I do appreciate that in the legislation the government has brought in some amendments which eliminate or control past excesses under the act, either by people with special occasion permits or by the liquor industry itself. I think that sort of tightening up of the regulations is a good thing. So the bill is not entirely without its merits, in my opinion, but I think it is so badly flawed in the fact that it really leaves the whole role of the public in such a state of uncertainty and new rules that it should be withdrawn and go back for reworking. But at the moment, I am here simply to point out where I think it needs changing, particularly in the areas of notice and assistance to public hearings.

One of the other things I think we have to be looking at is the whole question of the proliferation of outlets. Are we really prepared to see outlets increasing at the rate they have been increasing, and therefore greatly increasing the problems of alcoholism and alcohol addiction in this province and greatly increasing the problems of drunk driving? It seems to me there must be a limit if this government follows the principles that were set forth in the preface to the Offer report, that it has a

dual responsibility, to both the sellers and to the public, to see that we exercise our powers in a responsible way and balance the different needs of our society and of the industry.

But as far as I can see, this bill is simply rather like the insurance act. It gives the liquor industry carte blanche to open as many outlets as it can possibly get approval for, but there does not seem to be any guidelines for the liquor board to say: "How much is too much? Where do we start to limit, in the public interest, the number of outlets?" I would have liked to have seen a preamble to the bill which might have indicated that that was one of the concerns of the licensing board.

I think the minor change of putting the LCBO out of the licensing business, which it was in in one or two cases, was good. It was good to have it all under the liquor licence board, but of course the LCBO also plays a very large role in the operation of the licensed outlets, and therefore it must also be subject to very stringent laws as to how it meets the terms of its licences. That is where the liquor licence board, I think, has to adopt a much more responsible position in supervising the operations of both the licensed premises and of the LCBO and their advertising.

I think it is very flawed legislation. I have quite a number of other areas that I want to deal with in the act, particularly the appeal process.

On motion by Ms Bryden, the debate was adjourned.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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CONTENTS

Tuesday 12 June 1990

Members' statements

Tourism	1689
Mr Farnan	
Expo 2000	1689
Mr McLean	
Philippine Independence Day	1689
Mr Ruprecht	
Welland Rose Festival	1689
Mr Kormos	
Health care	1690
Mr Eves	
Speech by Winston Churchill	1690
Mr Tatham	
Soft drink containers	1690
Miss Martel	
Development charges	1690
Mr Jackson	
Archie and Annie Cairns	1690
Mr Elliot	

Statements by the ministry

Accessibility for the disabled	1691
Mr Wrye	
Class actions	1691
Mr Scott	

Responses

Accessibility for the disabled	1692
Mr Allen	
Class actions	1692
Mr B. Rae	
Accessibility for the disabled	1693
Mrs Marland	
Class actions	1693
Mr Cureatz	

Oral questions

Patricia Starr	1693
Mr B. Rae	
Mr Peterson	
Economic outlook	1694
Mr B. Rae	
Mr R. F. Nixon	
Civil service	1695
Mr Harris	
Mr R. F. Nixon	
Dialysis unit	1695
Mr Eves	
Mrs Caplan	
Mr Reville	
Home renewal program for disabled persons	1696
Mrs Marland	
Mr Sweeney	

Emergency telephone service	1697
Mr Owen	
Mr Offer	
Use of herbicides	1697
Mr Laughren	
Mrs McLeod	
Capital funding for schools	1698
Mrs Cunningham	
Mr Conway	
Plant closure	1698
Mr Neumann	
Mr Kwinter	
Automobile use	1699
Mrs Grier	
Mr Wrye	
Veterinarians	1699
Mr Wiseman	
Mr Ramsay	
GO Transit	1700
Mr Adams	
Mr Wrye	
Reforestation	1700
Mr Morin-Strom	
Mrs McLeod	
Waste management	1701
Mr Cureatz	
Mr Sweeney	

Petitions

Municipal reorganization	1701
Mr Wildman	
Affordable housing	1701
Mr D. S. Cooke	
Academic curriculum	1702
Mrs Marland	

First readings

Class Proceedings Act, 1990, Bill 213	1702
Mr Scott	
Agreed to	1702
Law Society Amendment (Class Proceedings Funding) Act, 1990, Bill 214	1702
Mr Scott	
Agreed to	1702
Construction Lien Amendment Act, 1990, Bill 215	1702
Mr Scott	
Agreed to	1702
Corporations Tax Amendment Act, 1990, Bill 216	1702
Mr Mancini	
Agreed to	1702
Municipal Amendment Act, 1990, Bill 217	1702
Mr Wildman	
Agreed to	1702

Committee of the whole House		Ms Bryden	1713
Business Names Act, 1989, Bill 108		Mr Runciman	1713
Mr Sorbara	1702	Adjourned	1719
Mr R. F. Johnston	1703		
Reported	1706	Other business	
Easement Statute Law Amendment Act, 1989,		Adjournment	1719
Bill 106	1706		
Mr Sorbara	1706	Lists of members	
Reported	1706		
Liquor Licence Act, 1990, Bill 175	1707	Members and their responsibilities	1720
Mr Sorbara	1707	Committees of the Legislative Assembly	1723
Mr R. F. Johnston	1710		

TABLE DES MATIÈRES

Le mardi 12 juin 1990

Première lecture

Loi de 1990 sur les recours collectifs	1702
M. Scott	
Adoptée	1702



46 1990

46 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Wednesday 13 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le mercredi 13 juin 1990



Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

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Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 13 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

AUTOMOTIVE INDUSTRY

Mr Kormos: We have to take necessary steps immediately to increase the North American content requirement in the Canada-US free trade agreement from 50% to 60% for automotive products.

The auto parts manufacturing industry—and companies like Gencorp Automotive in Welland are part of it—employs 80,000 Canadians and produces \$15 billion of high value added products each year, most of which are exported.

This industry has experienced tremendous competitive pressure currently. At the same time, though, it is making great improvements in quality, product development, capability, productivity and manufacturing effectiveness. Despite these gains, it continues to experience difficulty in winning business from the new transplant assemblers in North America, which continue to source the vast majority of their parts from offshore suppliers.

In Canada, this situation is aggravated by the small size of the transplants, which on average have only 35% of the production capacity of US transplant facilities. The current 50% content requirement can be achieved by the transplants simply through assembly labour and sourcing of simple parts, while a 60% requirement would require sourcing of a moderate level of higher value added parts in reasonable volumes.

This requirement will expand the business potential of our parts industry with the increasingly important transplant assemblers by up to \$2 billion per year without causing significant hardship to those firms. This increases the only effective means of encouraging the transplants to develop new relationships with North American and especially Canadian suppliers. Thousands of high-technology manufacturing jobs are at stake. We must act now to implement a necessary beneficial policy change in the interest of preserving and strengthening Canada's industrial infrastructure.

SKYDOME

Mr McLean: Toronto's fabulous SkyDome, which opened to great fanfare just over a year ago, is once again capturing headlines, but this time the headlines are not dealing with the great facility that the SkyDome is, they are about what the Stadium Corp is trying to avoid doing for the city of Toronto.

What the corporation is trying to avoid is a \$6.4-million tax bill. The corporation claims that since it took provincial and municipal money to build this facility, it should be considered a crown corporation. What the corporation conveniently ignores is a four-year-old Ontario Municipal Board ruling that the project developing the railway lands, in this case the SkyDome, was actually a private development and not a public one.

What is it the SkyDome folks are trying to avoid by being classified as a crown corporation? Their tax bill would be cut in half by only covering the cost of the services which the city and Metro provide and not education. The remaining half would be paid by the province in the form of grants in lieu of taxes.

This \$3.2 million in education taxes would cover the cost of educating about 513 elementary pupils or 406 secondary students or cover one half of the cost of building a new elementary school, not to mention how many portables could be replaced or teachers' salaries could be paid. I am disgusted with the attitude of the folks at the SkyDome who claim that they are a private company when it comes to divvying up the profits.

SIR SANDFORD FLEMING COLLEGE

Mr Adams: Sir Sandford Fleming College of Applied Arts and Technology in Peterborough is working hard to develop enduring links between Peterborough and Japan through two important initiatives.

In 1989, 34 students, aged 18 and 19, who were enrolled in the English literature department at Osaka Seikei Women's Junior College arrived in Canada, marking the first year of an agreement between Osaka Seikei College and Fleming. During their stay, the students undertook a special program of English as a second language and audited courses at the college. The primary aims of the program are to provide the participating students with intensive English-language training and expose them to Canadian culture.

Also, a formal agreement has been set up between Fleming College and Chuo College of Comprehensive Social Services in Japan. Chuo College is only a couple of years old. It is a privately owned institution which grants diplomas and belongs to a larger group of institutions in Osaka. The aims of this twinning program are to foster good relations between the two colleges and possibly create an exchange situation for the two institutions.

I invite members of the House to join me in congratulating Fleming College of Peterborough on these international initiatives.

CONSTITUTIONAL ACCORD

Mr Wildman: Members know that the select committee on the Constitution has been given the task of holding public hearings on the agreement reached by the first ministers' conference in Ottawa last week and reporting back to the Legislature by Wednesday 20 June.

This is a very important assignment. Indeed, the work of the committee could be described as historic. It is impossible, however, for the committee to complete comprehensive public hearings in the very short, limited time frame that the provincial Liberal government has given us.

Ironically, there is no legal requirement that this Legislature ratify the agreement reached in Ottawa on 9 June prior to the end of next week. The Premier argues that in ratifying the first ministers' agreement before the Meech Lake deadline, Ontario would be sending a message of goodwill to the provinces of Newfoundland and Manitoba to encourage legislators in those provinces to ratify the accord.

The Constitution belongs to all the people of Canada, not just to the 11 politicians and their advisers who met in Ottawa last week. Holding five or six days of public hearings in Ontario after the discussions are over and the decisions, such as changes to the Senate, have been made, does not give the people of this province any real say in the development of our country's fundamental law. It seems at least that we should be

separating the question of Senate reform off so that we could have a real scrutiny and public debate in this province about the desirability of Senate reform. What is the rush?

1340

EDUCATION POLICY

Mr Jackson: When teachers were unable to get a meeting with the Minister of Education to discuss their concerns over the pension legislation, the Ontario Teachers' Federation labelled the member for Renfrew North the Phantom of the Mowat Block. The teachers could not have chosen a better title, since it has become readily apparent that the minister is abrogating his responsibilities.

In recent months, the minister has: refused to release the Watson report on religious education that he received in January; refused to respond to the third report of the select committee on education that was submitted to him in January; refused to bring forward amendments to Bill 75 to deal with the problems of French-language governance; refused to table special education reforms his government promised; refused to respond to the Radwanski report tabled in February 1988; refused to respond to the Shapiro report tabled in October 1985; and there is no sign of a imminent release of the Premier's Council's "people strategy" or the final Vision 2000 report, despite all the rhetoric about preparing our workforce for competition in an increasingly globalized economy.

The Ontario Association of Alternative and Independent Schools summed it up. They were told by deputy minister Robert Mitton that the minister "has chosen to be personally incommunicado on policy issues of interest."

Perhaps the Premier should ask why the Minister of Education has opted for early retirement without informing the Legislature and the educational community at large. Almost two million Ontario children, whose education needs are paramount, deserve better representation.

FESTIVALS IN CORNWALL

Mr Cleary: May I extend a personal invitation to my colleagues to experience the best of all worlds in the city of Cornwall. Over the next month and a half, my constituency will be hosting three very exciting and prominent cultural festivals.

One of the largest is Worldfest-Festimonde. For the fifth year in a row, Cornwall will be hosting this special event in mid-July. People from 10 different countries will come to Cornwall this year and perform their own special dances, dressed in their own native costumes. Anyone who has participated in Worldfest is sure to agree that the people of my riding not only open their homes to Worldfest visitors but also open their hearts.

On 1 July, Cornwall will be celebrating the Multicultural Festival. People from all over eastern Ontario, representing about 30 different nationalities, will pool their resources at the Cornwall Civic Complex to enjoy colourful entertainment, arts, crafts and splendid cuisine.

Tomorrow begins a week-long celebration, La Semaine Française. This year's theme, "Sharing Together," is an invitation extended to all people to join the francophone activities.

I am sure members can appreciate my constituency as an area full of the rich heritage of many cultures that makes our province and our country so special.

NATIONAL ACCESS AWARENESS WEEK

Mr Kormos: Down in Niagara region Monday morning just past, we celebrated the kickoff of National Access Awareness Week. I was present when a number of people in Niagara region were pleasantly awarded certificates of commendation by the regional municipality of Niagara for their contribution to access awareness: people like Mary Sinclair from Welland, who has provided leadership that is outstanding for the community of people with disabilities; people like Brad Clements, the director of the Young Men's Christian Association, who once again has performed an outstanding job of making sure that the programs at the YMCA do not discriminate against any, least of all against people with disabilities.

I was proud to be present with people like Mary Sinclair, with people like Brad Clements, and I tell members quite frankly I am humbled by the fact that I was able to share that morning with them.

At the same time, we have to recognize that accessibility no longer means just providing ramps for wheelchairs. Accessibility means real jobs for real people with real pay, so that people with disabilities can live in dignity and can live contributive, decent lives, rather than being denied that opportunity through restrictive policies that sadly are all too often reinforced time and time again by this government here at Queen's Park. Let's really open the doors this time.

FOREST ACCESS ROADS

Mr Pollock: There is a major concern in certain areas of the province in regard to forest access roads. These roads were built to maintain the forest, but as time moved on, people used these roads to go in to their lakes and eventually built cottages and in some cases winterized them.

The Ministry of Natural Resources has refused to snowplow these roads and it does very little to maintain them. The local municipalities say these roads are not theirs. If the municipalities agree to take these roads, they will have to bring them up to Ministry of Transportation standards, which means a 66-foot right of way, a certain granular base and regular slope lines. The municipalities claim that they cannot afford this type of expense.

The local cottage people are not asking for these standards, just some assistance from the Ministry of Natural Resources, the Ministry of Transportation and the municipalities. I hope that these groups can work towards a reasonable and sensible solution to this particular problem.

CARABRAM

Mr Callahan: I have the great honour of inviting all of the members of the Legislature to a reception in room 247, the government caucus office, on 25 June 1990 from 5:30 to 7 pm. At this time, the Minister of Citizenship will be entertaining the multicultural festival from my riding, Carabram, and I would like all members to come.

Any members who attended last year must have enjoyed it and enjoyed the costumes. I would then ask them to also join me in my riding on the weekend of 6, 7 or 8 July, when they would have an opportunity to go around with us and really savour the sights, sounds and tastes of a truly multicultural festival that has made Brampton a leader in terms of neighbour understanding neighbour and should be a model for the entirety of Ontario, if not for the world. It is a world-class opportunity, so I ask members to come along and join with us, and I would like to thank the minister for once again hosting this. The

former minister, the member for Scarborough-Agincourt, did it in the past.

I think it is a good tradition and I think members will have a lot of fun if they come along, so I look forward to seeing them on that occasion, when they will have positive statements, I am sure.

VISITOR

The Speaker: Just before I call the next order, I know all members have noticed in the lower west gallery we have a former member visiting us, John Lane. Please join me in welcoming him.

STATEMENT BY THE MINISTRY

EDUCATION OF HEARING-IMPAIRED ÉDUCATION DES ÉLÈVES SOURDS ET MALENTENDANTS

Hon Mr Conway: I am pleased to have this opportunity, during National Access Awareness Week, to address the important issue of education for deaf and hard-of-hearing students.

As members of this Legislature are aware, the Review of Ontario Education Programs for Deaf and Hard-of-Hearing Students with an English-language background has been the subject of much interest in Ontario since it was released for consultation last December.

I want to thank the many individuals and organizations who participated in this review, a number of which individuals are with us in the visitors' galleries this afternoon. I wish to particularly acknowledge the work of the external review committee, chaired by Don Rutledge, former associate director of the Toronto Board of Education.

Today I am pleased to outline the first steps in the Ministry of Education's response to the recommendations included in that report.

Members may recall that the report of the external committee was entitled *A Language for Learning*. A main recommendation of the report was that American sign language be piloted as a language of instruction. The Ontario Ministry of Education accepts in principle this recommendation, and beginning in September 1990, a pilot project focusing on American sign language as an optional language of instruction will begin at the Ernest C. Drury School in Milton. This pilot project will be extended to other provincial schools in the 1991-92 school year, at which time interested school boards will be invited to join.

I wish to emphasize that we will continue to serve the needs of deaf and hard-of-hearing students through other communication methods in addition to American sign language.

1350

Another important issue addressed by the review was the training of teachers for deaf and hard-of-hearing students. Following the report's recommendations, the Ministry of Education has already begun the steps to transfer training for teachers of deaf students from the campus of the Sir James Whitney School in Belleville to a teacher education institution by September 1991. The institution chosen will offer courses leading towards specialist qualifications and a master's degree in deaf education.

The Ministry of Education will also provide financial assistance for qualified deaf persons who wish to pursue specialist qualifications at this institution. In addition, the ministry will provide an avenue for qualified individuals who are currently

working as teachers of deaf students but who do not hold an Ontario teacher's certificate so that they might obtain that teaching certificate.

Beginning in the current fiscal year, the Ontario Ministry of Education will address a further recommendation of the review by spending some \$380,000 to improve the resource centres at the Roberts School in London, the Ernest C. Drury School in Milton and the Sir James Whitney School in Belleville. This initiative will help the provincial schools provide parents and school boards with better access to a range of services and information relevant to deaf education. The ministry is also planning the establishment of additional resource centres, particularly in northern Ontario.

In all, the ministry has allocated some \$670,000 in the current fiscal year. Additionally, existing resources for deaf education will be redirected, reflecting a new focus on key recommendations of the review.

Je suis également heureux d'annoncer aujourd'hui la publication du rapport de l'Enquête sur les programmes et services à l'intention des élèves sourds et malentendants francophones.

This review of French-language deaf education, undertaken separately, presents the findings and recommendations of two committees which were assisted in their task by an advisory committee. The external review committee was chaired by Berchmans Kipp, executive secretary of the Languages of Instruction Commission of Ontario and a former director of the Metropolitan Toronto Separate School Board. The committee was composed of the following members: Andrée Gendron, director of the rehabilitation programs at the Institut Raymond-Dewar in Montreal; Louis Guay, deaf and hard-of-hearing services counsellor in Fredericton; Raymond Leblanc, curriculum supervisor at the Resource Centre for the Deaf in Amherst, Nova Scotia, and Julie Roy, a deaf teacher of the deaf at the polyvalente Lucien-Pagé, a high school in Montreal.

L'une des principales recommandations du rapport veut que le ministère de l'Éducation précise le niveau des services éducatifs auxquels les élèves sourds et malentendants francophones devraient avoir accès, et qu'il fournisse les ressources humaines et financières nécessaires à la prestation de ces services.

In addition to this major recommendation about the level of educational services for deaf students with a French-language background, other recommendations of this report include that classes should be established in selected schools on a regional basis to provide educational programs and services to deaf and hard-of-hearing students with a French-language background, that training for teachers of deaf students be transferred to a French-language faculty of education, that affirmative action programs be developed to encourage deaf persons with a French-language background to become teachers of deaf students or to enter other professions involved in deaf education, that la langue des signes québécois be made a language of instruction and that preschool programs continue to be the responsibility of the Ministry of Education and that these services be supervised by specialists.

Le ministère de l'Éducation invite maintenant les personnes qui s'intéressent à l'enseignement aux personnes sourdes francophones à lui faire part de leur opinion afin de l'aider à préparer un plan d'action pour répondre à ces recommandations et aux autres recommandations de l'enquête.

I expect that the first steps of the response will be in place by September 1991.

Finally, I wish to advise members that the review of post-secondary deaf education conducted by the Ministry of Col-

leges and Universities is being printed and will be released for consultation this summer.

National Access Awareness Week is a particularly appropriate time to emphasize that in the changing world of the 1990s, all Ontarians must have access to quality education. The initiatives that we are and will be taking in this special field of education will very much help us to meet this important challenge.

RESPONSES

EDUCATION OF HEARING-IMPAIRED

ÉDUCATION DES ÉLÈVES SOURDS ET MALENTENDANTS

Mr R. F. Johnston: When two years ago Gary Malkowski and Judy Rebick, who are in the bleachers today, came to my office and apprised me of some of the problems in deaf education, I and, I think, they did not think this kind of review that has taken place would ever take place in Ontario or that the problems in deaf education would ever have been followed with the kind of thoroughness that they have. As a result, I am pleased to rise today and welcome the action of the government that has been announced by the minister.

However, I also have to say that I am not exactly overwhelmed by the response by the minister. Members who have had a chance to read this very informed document of the external and internal review committees that was presented in December will know that there were many recommendations, touching on many more things than have been broached today by the Minister of Education.

The first thing I would have to say is that it is disappointing to get a piecemeal response to this well-thought-out review. Second, the minister is being mildly inaccurate when he indicates that the primary recommendation of this group is that pilot projects for American sign language be established. In point of fact, the pilot project idea was part of an overall recommendation which much more importantly indicated that American sign language be recognized as one of the languages of instruction in Ontario and that then a number of things take place, including pilot projects.

The wording of the minister's statement today does not indicate that he has accepted that principle. What he indicates is that the recommendation about a pilot project has been accepted in principle, but not the principle that we accept, as Bill 112 does, which I introduced, that we will change the Education Act to make it legal and accepted that American sign language can be used as a language of instruction in Ontario. Until we do that, we will not recognize the reality of a large part of the deaf community's needs in terms of its own education.

Even the response of this new report, which I have not had time to read, *Enquête sur les programmes et services à l'intention des élèves sourds et malentendants francophones*, mentionne, comme recommandation 18, que la langue des signes québécois, adoptée en Ontario, soit reconnue comme l'une des langues d'enseignement utilisées dans les écoles de l'Ontario.

In fact, there is a wonderful parallel between this report and the former report in terms of the unanimity of approach that they are taking. Why the government has not taken the step of accepting that principle about American sign language at this point I do not know. I hope in the next number of days they do accept that the first thing you do is adopt the principle in law under the Education Act, as Bill 112 does, and then you proceed along with the pilot projects, as he has been suggesting.

One of the initial problems that we identified was the problem of teaching and the lack of supervisors in the system who are deaf. We know that these recommendations today may help us get more deaf teachers, but there is still no guarantee that we will have in the province in short order a director of one of our schools for the deaf who is a deaf person, given, ironically, that there are so many Ontarians who are directing those kinds of places in other jurisdictions. I would have hoped that the minister might have said something about supervisory paper qualifications as well.

There is nothing in here about the IPRC process that people have to go through. There is nothing in here about the 70-decibel cutoff in terms of who is hearing-impaired when it comes to getting ancillary services, and that is a major oversight in this proposal that is being brought forward today.

I would hope that in the next few days we may hear from this minister that he is willing to adapt the proposals in Bill 112 as amended, as was suggested in second reading, that would make a new 19a for the Education Act, requiring that the American sign language or langue des signes québécois, as the case requires, be made available for use as a language of instruction in Ontario. Until that is done, we are not fully accepting the reality of the reform for deaf education which is required and which we have all been working on for these last two years.

1400

Mr Jackson: I would be pleased to respond as well to the Minister of Education's announcement today on deaf education. I would like at the outset to suggest that this is a rare example of the government actually listening to stakeholders in education and responding with what would appear on the surface to be a majority of the main concerns expressed, and the recommendations have been responded to. I think it is somewhat fitting in the context of the needs of the disabled in this province in the week when we honour their agenda that this announcement be made.

I am pleased that it ensures the viability and extends the good work of the three provincial schools, and I am particularly pleased that we are making the commitments to teacher training in the context in which they are placed here, providing opportunities for disabled teachers to become empowered as educators and serve as the examples of the true spirit of tearing down handicaps as a bias in society. We have no better place to start with that than in our educational institutions.

There is room for some criticism based on elements of the agenda for deaf children in this province which remain unaddressed. The IPRC process has been alluded to, and earlier today I referred to the minister's lack of attention to the government's promised reforms to Bill 82, special education, as well as a series of other reports. But I guess it would appear that the minister can only work on one report at a time, and to the extent that he has been singularly and almost in an onerous fashion focused on this one issue in the last two years, it was timely that we get his report. He has to produce at least one response to the education community in attending to its needs and not necessarily responding to matters such as pooling and pensions.

But also, I think it would have been fitting for the minister, to be fair, to have paid the appropriate tribute to the member for Scarborough West, and I would like, on behalf of all members of the House, to acknowledge that he has provided, almost singly, the leadership and the compassion which has driven this agenda for all members of this House. I am very pleased to say

that I have followed his leadership in this regard and provided the support which he so richly deserved on behalf of the children in this province. I hope that at the conclusion of my remarks, all members of the House will so acknowledge his fine contribution which has culminated in today's response.

In closing, I think since the minister himself has referred to the significance of this week and its concern to handicapped citizens in this province, that he, as the Minister of Education, should also take it upon himself to address the needs of those handicapped children who are still discriminated against in this province, children like Wally Elgersma, who are being punished and denied access to health care programs simply because they are educated in a Christian school. In fact, we are one of the few provinces that discriminates against children on this basis. A broad range of handicapped children are denied the rights that other children have in this province.

I believe that the Minister of Education should stop blaming the Minister of Health and the Minister of Health should stop blaming the Minister without Portfolio responsible for disabled persons, and so on. It is time for the government to state, as it has today, with clarity and conviction, that it is prepared to tear down those other impediments to what we understand is one of the most important agendas for the children and handicapped citizens in this province.

I want to again encourage all members to acknowledge the efforts of the member for Scarborough West and all members in this House who have helped with this agenda.

ORAL QUESTIONS

CHILDREN'S SERVICES

Mr B. Rae: I want to ask the Premier a question very directly. Can the Premier tell us, is it the intention of the government of Ontario to ratify the United Nations Convention on the Rights of the Child, which the Premier will know was signed by the federal government on 28 May 1990?

Hon Mr Peterson: The Treasurer tells me that the minister is right up to date on that, but he is not here.

Hon R. F. Nixon: There he is.

Hon Mr Peterson: I am going to rag the puck until the minister gets over here to answer that question. He has just had it interpreted to him and he can assist.

Hon Mr Beer: In defence, I was discussing the upcoming debate this afternoon on that same issue.

The answer is, most emphatically yes. As the honourable member knows, the Treasurer participated last week in a ceremony here at the Legislature. I think it is terribly important that we indicate our support and that we look at our various programs and policies to ensure that in fact they do meet the standards of the United Nations declaration.

Mr B. Rae: I am glad to have the answer from the minister. I had hoped the Premier would be able to answer.

Hon Mr Peterson: I did not know.

Mr B. Rae: Perhaps he should find out about what is going on with respect to children.

Article 24 of the convention established the children's right to the highest attainable standards of health through access to proper nutrition, clean drinking water, health care and health education, yet we now know that the death rates in 1986 for poor children in Canada, and indeed in Ontario, were 56% higher than those of higher-income children. We know that

babies born into poverty are at an increased risk of being of low birth weight. We know that they are more likely to have psychiatric problems and problems in school. We know, as well, that children are twice as likely as adults to be fed by food banks.

I want to ask the minister how the government intends to avoid the charge, the accusation, of real hypocrisy on its part when we contrast its being a signatory and participating in a ceremony celebrating the rights of the child with the fact that for poor kids in Ontario today there is nothing short of a health care crisis and, indeed, even a life crisis?

Hon Mr Beer: Over the last four or five years I believe this government has taken a number of major initiatives and has made great strides in trying to provide much greater protection for children and ensuring that they have much better health care, social services, educational services and what have you. Clearly, while much has been done, much remains to be done. I do not for a moment suggest that we have been able to obliterate the ravages of poverty and how that affects children.

But I think if the member looks at the specific areas of our activities in terms of children's services, he will see that what we are putting in place and the direction we are going will lead to a tremendous improvement. Whether we are talking about the Thomson report and the initiatives in that area or whether we are talking about programs for the developmentally handicapped or the physically disabled, in any of those areas of government action, I believe that our programs and policies are moving in the direction that the United Nations declaration sets before us. I do not think there is anything hypocritical in that whatsoever, and we can and do make a firm and clear commitment to meet the standards set in the charter.

Mr B. Rae: Quite contrary to what the minister has said, since the Liberal Party took office, the gap between rich and poor has grown in Ontario; the number of poor kids has increased. The overwhelming evidence, and it continues to grow, is that while the wealthy have done very well by the Peterson government, and indeed wealthy kids will always have opportunities, the fact remains that poor kids are more likely to get sick, are more likely to drop out of school, are more likely to have to go to food banks and, bluntly put, are more likely to die. That is the overwhelming evidence from every study that has been done in the last five years.

How can the minister have the gall to trumpet his signature on the United Nations Convention on the Rights of the Child, while at precisely the same time preside over this kind of child neglect?

Hon Mr Beer: I think it appropriate to remind the Leader of the Opposition that it is terribly important that we sign this agreement, and sign it because we are moving in the direction that is going to lead to better lives for children. We need to recognize that the actions this government has taken are having a positive impact on children, while at the same time recognizing, as I said before, that there is much to be done.

1410

What this declaration from the United Nations serves to do is to remind us of what remains to be done, but if the member looks at the various programs and activities, not only of my ministry but of all of the ministries of this government, that relate to children, he will see that we have been not only increasing the funding for various programs to meet precisely the issues he raised, but that we have been doing this at a time when the federal government has been cutting back on its com-

mitment. There is no gall, no hypocrisy in what this government has been doing to help children over the last four or five years. We are going to continue to do it and we will meet the standards that are set out here.

PATRICIA STARR

Mr Kormos: I have a question to the Premier. According to today's Toronto Star, the now Minister of Industry, Trade and Technology drove a Pontiac provided by Budget Rent a Car in Etobicoke during the 1987 election campaign. The value of that car rental was about \$1,400. That donation was not reported, and probably for good reason because it was twice the maximum allowable. As well, his campaign chief financial officer has now been charged in connection with the provision of that car. The same newspaper reports that Patti Starr was charged with paying \$500 for the oil, gas and maintenance of that Pontiac car used by that candidate for campaign purposes.

We are told the minister felt that as to the Mercedes-Benz he owns, it was not a good idea to be driving around in that kind of expensive Mercedes-Benz while he was campaigning, so they opted for a Pontiac from Budget Rent a Car. The decision to hide the Mercedes is consistent. The Liberals hid their real agenda on auto insurance along with a whole lot of other things. In view of the current Liberal Party standards for the behaviour of cabinet ministers, does the Premier think the minister should resign?

Hon Mr Peterson: As the member knows, charges have been laid and it is before the courts.

Mr Kormos: That is precisely the point. Charges were laid against the chief financial officer. Charges were laid against the riding association. Charges were laid against the minister of industry and trade's riding association and his chief financial officer. Charges were laid against Patti Starr. The minister has avoided criminal charges or quasi-criminal charges. He is going to avoid going to jail. Yet the response from the Premier is that the Premier simply does not understand what is at stake here: the integrity of the members of cabinet. This is a clear case of Budget Rent a Cabinet Minister.

Why is it okay for the minister of industry and trade's campaign chief financial officer to be charged, for his riding association to be charged, for Budget Rent a Car to be charged, all in connection with that minister's election campaign while the Premier does not see that minister as being responsible?

Hon Mr Peterson: I am not sure if there is a question. I think the member pointed out that the minister has not been charged. For a lawyer, I am very surprised that he would stand in this House and be so thoroughly irresponsible.

Mr Kormos: The former Minister of Culture and Communications gets dumped by the Premier for the mere possibility that her actions in pursuit of renomination might constitute a perceived conflict of interest. We have a situation here where the minister of industry and trade—never mind that he wants to hide his expensive Mercedes-Benz, built in Germany—fails to report \$1,400 worth of donation and a registered charity picks up the tab for gas and oil costs of a campaign vehicle. Is this not the sort of mistaken and unacceptable judgement that cannot be allowed on the part of a minister of the crown? Is that not the height of dishonesty?

Hon Mr Peterson: I think I have answered the question. The honourable member is in an increasing state of irresponsibility.

Interjections.

The Speaker: Order. The member for Parry Sound is waiting patiently. I hope you will give him the opportunity to ask a question. Agreed?

CONSTITUTIONAL ACCORD

Mr Eves: I have a question of the Premier as well. Yesterday in the select committee on constitutional and inter-governmental affairs I asked the Attorney General if the companion resolution or Constitution agreement of 1990 had to be passed by 23 June this year. His response was that he did not know and that we should ask a constitutional expert.

As luck would have it, the next witness was Professor Hogg, who is one of the signatories to the opinion attached to the agreement, who said that we have three years from the date that the first legislative body in Canada passes the 1990 constitutional agreement to approve or ratify it. Does the Premier agree with Professor Hogg in that regard? If he does, why are we trying to pass this within the next week?

Hon Mr Peterson: I do agree with Professor Hogg. That was absolutely accurate; we do have three years to pass that. I discussed this yesterday in the House and I will tell the honourable member my view on the matter. It does not technically have to be passed for another three years. Obviously I would prefer that it was passed in this particular time frame we are talking about. The reason really is, just as a sign of good faith to the other provinces.

As the member knows, we were involved in a very difficult negotiation. As I said, my preference would be that way, but it obviously needs the co-operation and assent of the members opposite. It is not legally a requirement.

Mr Eves: I would like to talk to the Premier a bit about the process of constitutional reform. When the Premier stood in the House on Monday he criticized the process, and I think rightly so. I think that almost every Canadian would agree with that. The statement he made in the House on Monday afternoon was, "We must create a process that allows for a much broader and more involved public consultation and sharing."

He will recall the previous deliberations of the constitution committee in this province where we sat for some months. Here are the results of the public hearings only. It went on for several months with many, many days of public hearings and deliberations. We heard over 152 witnesses. We had 288 written submissions. I think this is a very significant step in Canada's future. I think the Premier has made a commitment to a more involved and open process of public consultation.

Does he not think that this is somewhat inconsistent with trying to ask this body to have rushed public hearings, "Get as many people as you can within the next week, but let's get this passed"?

Hon Mr Peterson: Certainly I understand the view of my friend opposite in that regard, and I do not want to be argumentative in any way. He is quite right that when we did the Meech hearings there was very extensive committee work. I can say that the committee work done by this Legislature was exemplary, and a lot of the results of the report here formed the intellectual underpinnings for a lot of other reports. It was referred to often, I should say to my friend opposite, in New Brunswick, in the federal hearings and many others. It was an extraordinarily good piece of work. I know that on analysing that piece of work, the member will find a lot of those con-

siderations in the agreements just passed. So it has had an influence; there is no question about that.

Now we are in a unique situation because of the 23 June deadline that certain decisions have to be made by. My honourable friend also, I know, is aware of the fact that each Legislature and the federal Parliament has to pass an identical resolution in order to effect constitutional change.

I also agree with my friend opposite, and I refer to some remarks of mine, that we can improve this process. I can tell him that I think it was at Ontario's insistence, in this document we signed, that we would change the process. We have a number of ideas. I think it is one of the things the committee on constitutional reform could be dealing with, putting before the other first ministers ideas on how to build future constitutional change in partnership with the public. So I think my honourable friend makes a good point.

1420

Mr Eves: I appreciate all the remarks the Premier has made. Indeed I sat through every one of these days of hearings that the previous committee did. Is there some reason other than the fact that it would be morally right, in the Premier's opinion, or wise to send a signal to other provinces? Did the Premier make a commitment or give an undertaking to the other first ministers that this would be passed in the Ontario Legislature by 23 June? If he did, I think we can understand the position the Ontario Legislature is in. If he did not, what better time than the present to take the lead in a meaningful step to a more meaningful process of constitutional reform in this country?

Hon Mr Peterson: I said I would present this to the Legislature as quickly as possible. There was no commitment on when this thing would be passed. Professor Hogg is absolutely correct that it could take another three years, but I think we should put this in context as well.

The member recognizes that each legislature has to pass an identical amendment. He also realizes, I am sure, that one of the problems with Meech Lake was that it was dealt with three years ago and then a number of governments came and changed their minds in this respect. That led to the subsequent negotiations and the subsequent agreement that came forward. It was Mr Wells who came forward. His number one agenda was not Meech Lake or bringing Quebec into the Confederation; it was Senate reform. Those were his priorities. We tried to address those in a sensitive way. We have advanced the constitutional agenda; there is no question about that. We have lots of work to do in the future to give expression to some of those legitimate voices from the regions, adapting our institutions to better serve Canadians.

My honourable friend is also aware of the fact that this has to conform with the other legislatures, so it is not possible in that sense to change it. My honourable friend has to rest with his own judgement in that regard. All I can say, for the reasons I have expressed, is that I would appreciate having his co-operation.

MEMBERS' TRAVEL

Mr Runciman: I also have a question for the Premier. It has to do with an Ottawa Citizen article which indicates that the Premier and his fellow Liberal jet-setters spent approximately \$310,000 of taxpayers' money on a nine-day trip to Italy, staying in five-star hotels, suites at \$1,000 a night, very lavish expenditures. Does the Premier feel this was an appropriate use of tax dollars?

Hon Mr Peterson: Mr Speaker, the minister can give him all the details on this.

Hon Mr Kwinter: The question is, does the government think this was an appropriate expenditure of tax dollars? I am sure members will want to know that this was the largest trade mission ever to go to any foreign jurisdiction. We had almost 140 people there. They should also know that in the whole scope of my ministry we have found that the most effective way to encourage trade is to take groups of people who have a cultural and a language relationship with the jurisdiction that we are going into. I should tell the member that when we were in Italy, we not only made a lot of contacts, we not only did business, but we had an opportunity to visit every single major area in Italy.

As a result of that, we signed agreements with Lombardy. The member will see the results of those agreements when we host the Four Motors of Europe here in two weeks. We had arrangements with other countries, other companies that are using Italy as a conduit to Europe 1992. We had an opportunity to establish an office in Milan that will have long-term, positive benefits for this jurisdiction.

The Speaker: Thank you.

Hon Mr Kwinter: I am just getting going, Mr Speaker.

The Speaker: I have to allow a supplementary and then you may continue.

Mr Runciman: That was nothing more than killing time, a real non-answer. I find it curious that the Premier refers this question. The Ottawa Citizen article also says that the Minister of Industry, Trade and Technology said Tuesday that he was asked to go at the last moment. That is why his travel costs were so high. It would be nice to hear him make reference to that.

The auditor made a report last year that was very critical of high-flying bureaucrats in this Liberal government, spending tax dollars lavishly. Now we have their leaders, the elected officials, setting this kind of an example, spending \$1,000 a night, lavish expenditures. At the same time in the province they are increasing taxes at over 100% in the brief time they have been in office. I would like to hear from the minister the justification for why he and his Liberal colleagues feel it is necessary to spend \$1,000 a night to stay in a hotel room. Would he please justify that.

Hon Mr Kwinter: The member has zeroed in on one isolated incident and he has given the impression that the 140 members who were on this trip all spent that amount of money. That is absolutely not true. The member has to understand. If you are travelling in these particular jurisdictions, the member will know that in the hotels we felt Ontario should be represented in—we are the 11th-largest jurisdiction in terms of economic power in the world. When we attended those particular functions we were putting Ontario's best foot forward, entertaining people with whom we hope to enter into a business and governmental relationship. We had a situation where we did what we felt was the proper thing to do. I will say to the member that it was money well spent. The long-term benefits that will accrue to this province exceed by far any expenditures that were made on that trip.

Mr Neumann: Why don't you come up with real issues?

Mr Runciman: One of the members was saying, "Come up with real issues." I think this is a pretty significant issue when you look at the waste of tax dollars. Time and time again

we have looked at the kinds of lavish spending by this government—expensive parties, a kind of high-flying government. At the same time, they are mouthing off to the public that they are trying to be responsible with the use of tax dollars. That just simply flies in the face of the facts. Half of the expenditures, half of the \$310,000 was spent on hotel, food and entertainment.

The Minister of Consumer and Commercial Relations has apologized. He has reimbursed \$700. His room cost \$1,000 a night. He was embarrassed by that. He has paid \$700 a night himself. Where is the responsibility on the part of the other members of the Liberal group that travelled over there at taxpayers' expense? Why do they not have the same sense of responsibility? Why do they not reimburse the taxpayers of this province?

Hon Mr Kwinter: I am sure all members in this House will accept the fact that this is a major jurisdiction in the world and that when we travel we derive benefits and we sign contracts. We had contracts signed by Litton. We had contracts signed by Ontario Hydro. We had contracts signed by a number of the members of this particular delegation. But more important, we sowed the seeds for long-term benefits, long-term business relationships, and you do not do that standing on a street corner. We hosted receptions for these people. We brought people in. We had an opportunity to speak to them to show them what Ontario—

The Speaker: Thank you.

Interjections.

The Speaker: Order.

Mr Mackenzie: I have a question to the Premier, which he will probably refer to the Minister of Industry, Trade and Technology as well. I do not think anybody objects to a trade mission and does not object to one of our leaders going and does not object to business people going. But I would tell the minister that what disturbs me is the junket-like aspects of this particular trip. It took him six months to come up with the answer to the question, so obviously it was carefully done. Why were wives included? Why did it take 10% of the Liberal caucus to attend that particular trip? Why was there a cost of \$312 per day accommodation, \$12,377 per participant and total per day cost of \$34,003.82 on this trip? It does raise serious questions, I think, in the public mind.

Hon Mr Peterson: There were 140 people on the trip. One of the greatest assets we have in this province is a number of members of Parliament who speak different languages, who are comfortable in different cultures. It is one of the greatest strengths we possibly have. We used that to our benefit. Good Lord, the member should not be so provincial. We are making major inroads into Europe of 1992. We covered all parts of Italy day and night, from Milano to Friuli to Catanzaro to Abruzzi to Rome.

Mr B. Rae: It's a tough job at the top.

Hon Mr Peterson: My friend opposite says, "It's a tough job." He enjoyed coming to Tokyo, I will remind him, and he enjoyed coming to China and so did the member opposite so he should not stand up on his high horse. Let me tell him something: We are happy to share these kinds of things, and everybody can make a contribution, but there is not anybody who understands this business who does not understand that this is part of our deliberate strategy to push Ontario out into

Europe of 1992, as well as into the Pacific Rim, and we are making real strides at it.

1430

Mr Mackenzie: We have competent Italian-Canadian citizens in business and in the ministries. We did not need a total of nine members of Parliament on that particular trip. The Premier will know that \$100,000 can fund a community economic development program for 20 people with disabilities, that the children's mental health centres across this province are desperate for relatively small amounts of money to keep their programs going, that \$50,000 would fund the Wellesley program for 30 children with handicaps, and here he has spent \$309,440 on this. Some of it may be legitimate, but I ask the Premier to justify the nine members as other than a straight political con job on the people of Ontario.

Hon Mr Peterson: My friend, if he is going to stand up and say that, is going to have to justify why his leader came to China or why the member for Nickel Belt came to Tokyo and then flew on to New Zealand. He is going to have to justify that.

Interjections.

Hon Mr Peterson: Let me tell the member something: Because they are a real asset. That is the answer to the question. They have contacts, they have knowledge of the community, they were all working extremely hard, and I consider this one of the great assets that we possibly have in this province. We have got to use the strengths of this multicultural province to reach out around the world and try to understand it. So I honestly say, if my friend had anything to offer, he would have been invited on the trip.

CUSTODY AND ACCESS

Mr Jackson: I have a question for the Minister without Portfolio responsible for women's issues. The minister would be aware that Bill 124, the Children's Law Reform Act, offers new and increased rights to non-custodial parents, who are usually fathers in this province, for custody and access enforcement. The minister would be aware that women's groups across this province objected and were against this bill. The minister would also be aware that now this bill is in place the judges have been increasingly using the section on supervised access and awarding that in increasing numbers for victims of abuse and violence, but also they have increased the criteria for non-custodial parents who may abduct their child and for cases of alleged but not proven abuse.

There is concern that there is a gulf between the promise in the minister's legislation and the enforcement access which judges are awarding and that there are no programs available. My question is simply this: What is she doing specifically as the minister responsible for women's issues so that women and children caught in abusive situations and caught in this situation of no supervised access programs are properly supervised under this legislation?

Hon Mrs Wilson: I thank the member opposite for that question because it is an issue that is of concern to many women across the province of Ontario. Women are concerned that their children will have the opportunity to have two parents even though they may be in a situation where there has been a separation in the family. Certainly women's groups were invited to and did participate fully in the discussions and consultations that surrounded the bringing into force of that bill.

As minister for women's issues and on behalf of my ministry, the Ontario women's directorate, I will certainly be monitoring how that bill works in practice. It is my view that supervised access is something that we need to be discussing, and in fact I am discussing that with my colleagues the Attorney General and the Minister of Community and Social Services.

Mr Jackson: It is rather frightening that the minister actually agrees that this legislation is not working and agrees with women's groups that they have not been served by this piece of legislation. She has been entrusted with the responsibility to advocate with her cabinet in this growing crisis. Women in this province rightfully feel that this government's support of Bill 124 was a concession to divorced and separated fathers, that it gave them increased rights and that the women's and children's rights in abusive situations have been severely compromised by this bill.

Now we have seen clear evidence. I am told of reports where the Ministry of Community and Social Services is blaming the Attorney General for who has responsibility here and the Attorney General's office is saying: "Well, don't look at us. It's Comsoc's responsibility."

My question is, in light of the fact that nobody in the minister's government will take responsibility for implementing these programs, will she as the minister explain to this House why her government is denying funds to organizations that have come forward to present these very programs that women and children in abusive situations are calling for?

The Speaker: Thank you.

Mr Jackson: Why is she denying funds to these organizations?

The Speaker: You have already asked it.

Hon Mrs Wilson: It is significant that Bill 124 does address the issues of wife assault. It addresses them in two places. First, it says that domestic violence has to be considered by the court when it determines the ability of the person who has committed that violence. We know, however, that violence continues in many families following divorce and separation.

I have committed to women's groups in this province, and I will commit to this member, that I will closely monitor this bill and will continue to meet with women's groups. It is a new bill, it is just very new. I will continue to monitor it and will continue to work with my colleagues to be certain that women and children in this province are protected following separation of families.

SOCIAL ASSISTANCE

Mr D. R. Cooke: I have a question for the Treasurer. There is a group called Basic Poverty Action Group which apparently is going to descend on Queen's Park tomorrow by the thousands. They have a theme: "Return to sender, Mr Nixon. Your budget is no good." The theme basically suggests that the budget does not do anything to fight poverty. Could the Treasurer tell us what the budget does, if anything, to fight poverty?

Hon R. F. Nixon: I saw the news report of the group coming to Queen's Park. Like all groups, they are perfectly welcome and I will examine their message as carefully as I can.

I think the honourable members would know, having perused the budget rather carefully, that social assistance spending will increase by over \$400 million this year. It really means that Ontario's benefits, however insufficient they may appear,

are the best in Canada in all respects. I am very proud that we have achieved that.

Also in the budget, a particular initiative that pleased me is the strengthening of our tax reduction program, which meant that another 115,000 families would receive \$200 off their taxes for each child they are rearing, with special advantages doubling that reduction if there is a disability associated. It really brings to over 600,000 the people who are being assisted in this connection.

Mr D. R. Cooke: That sounds very satisfactory to me. The Treasurer would note, though, as well—and this seems to concern this group—that there is no chapter in the budget referring to affordable housing. Could the Treasurer perhaps enlighten us as to what in the budget assists in the establishment of affordable housing?

Hon R. F. Nixon: It is true there was not a heading entitled "Housing," because the programs that have been put in place over the last four years are now moving rapidly, not only through construction but the utilization of public funds. There is an additional \$200-million increase. The increase is \$200 million this year, and it really means that the construction of housing of an affordable type, and most of it of a non-profit nature, is reaching proportions that are beginning to meet the needs, at least in many communities. There are 32,000 affordable homes that have been built since 1986, with another 40,000 planned for 1993; that is, they will be completed by that time.

The statistics and numbers probably are not as significant as they should be, but the Ministry of Housing has enjoyed the greatest growth in its budget of any of the provincial responsibilities, a 245% growth in the last four years. We feel that that shows the commitment of the government to these important programs, and I believe that we are now seeing the benefits at the community level of these accomplishments.

ABORTION

Mr R. F. Johnston: My question is for the Premier. Shortly after the federal abortion bill passed in the House of Commons I raised with the Attorney General the concerns that doctors were expressing about whether or not they would not be liable for prosecutions and concerns people were having about what was going to happen to access to abortion. We now have two situations, publicly confirmed, of backroom or self-inflicted abortions, one which damaged a young 16-year-old in Kitchener and the other which killed Yvonne Jurewicz here in the city just yesterday. I wonder why this government has not made a statement in this House about third-party actions or about access to abortions and started to quiet some of the fears which are causing, I believe, some of the tragedies that we are now seeing.

1440

Hon Mr Peterson: I appreciate the honourable member bringing this to my attention. I was not aware of it. I wish I could give my honourable friend an answer. He knows the policies of this particular government, the things that are going on, but he has brought serious matters to my attention. I will discuss them with the Attorney General and with the Minister of Health as well. I appreciate his sharing that with me.

Mr R. F. Johnston: I appreciate that. Perhaps, in the discussions with the two ministers, the Premier might discuss the notion of the discussion among the attorneys general which is taking place in the next couple of days here in the city with the federal minister as well as all the other provincial ministers. It

seems to me this might be a very good time—and I am asking if he will concur and will take this message to the Attorney General—for big-man politics to assert itself in Ontario to say that we will refuse third-party prosecutions on abortion matters in this province in the coming months and therefore allay some of the fears that are out there.

Hon Mr Peterson: I think that is a constructive idea, that the Attorney General discuss those with his counterparts. Frankly, I am not sure of the agenda on those meetings today or tomorrow, but I will convey to him immediately after I leave question period the member's ideas and get the reactions of the other attorneys general across the country. I thank him for his idea.

PATRICIA STARR

Mr Cousens: A question for the Premier: A serious allegation has been made that a senior member of his cabinet has been principal of the Patti Starr school of election financing. Who was that person and what action is the Premier prepared to take?

Hon Mr Peterson: We dealt with this question yesterday, the day before, the day before that and several other times. My answer is the same.

Mr Cousens: The question is going to continue to be asked and it is a serious question. It has everything to do with the role of the Premier and his cabinet in this scandal. I ask him again, does he know the identity of the individual who apparently orchestrated this affair, and what does he plan to do about it?

Hon Mr Peterson: I do not know of anyone and I repeat my answer.

OCCUPATIONAL HEALTH AND SAFETY

Mr Owen: I have a question for the Minister of Labour. The minister will no doubt remember that last year the former employees and the families of former employees at the Robson Lang Leather factory in Barrie were very concerned with possible revelations that they might have had contact with certain chemicals at the plant when they were working there that have led them to a situation of cancer.

In October of last year, the minister caused an inquiry to be made into these problems. Today's media are now reporting that the officials in his ministry could not find any link between the working conditions and cancer and that the minister has closed the inquiry or investigation. The people involved do not know what is going on. They are concerned about these media reports today. Could the minister enlighten us? What is happening?

Hon Mr Phillips: When I saw the report, I knew instantly that the member for Simcoe Centre would be concerned, as I was, because I know of his deep interest in the subject. I would like to assure the member that the study is continuing. My understanding is that our officials found that the original study that they had planned to do, which would have involved sampling all of the former employees, has become impossible because we are unable to get a list of all the former employees.

We have, I am told, been able to gather a fairly large list, so the study will involve the list of people we do have. Just to assure the member, because I know he has an intense interest in it, the study will continue. It will not be the study as originally envisioned, because we simply were unable, in spite of our best efforts, to find a complete list of former employees of that particular tannery.

Mr Owen: First of all, I cannot help but observe that the media's reporting of wrong information, and its having had the effect it has had on these families, is very unfortunate. But given that as it is, I know that the ministry has had problems getting a database on which to base any conclusions whatsoever. In light of these difficulties that the ministry has had, has the ministry any idea what direction the study will now take, and whether there is any time frame as to when some indication will be made as to whether or not there is a link with these health problems?

Hon Mr Phillips: Just on the first part of the question, I do not mean to blame the media because I think that our officials probably explained that the original study they had planned to do was impossible. I can understand how some confusion could take place.

I will say a couple of things. We committed to ensure that we would consult with the workers, the community and the industry. The first thing I would like to assure the member is that, as we had promised, my understanding is there is a meeting planned for this month, June, where the plans will be reviewed with those parties. Second, my understanding is we will conduct in the area what I guess is known as a proportional study, where we will take the names that we do have and conduct the study using sampling techniques.

So I want to assure the member on the two points. One is that it is the intention of the officials who are conducting the study to convene that meeting in June, where they will review their plans with the affected parties. Second, my understanding is the study will, as I say, involve using all the names that we do have and conducting the study to determine whether there are any linkages between deaths and possible causes as a result of having worked at the tannery.

PLANT CLOSURES

Mr Mackenzie: I have a question of the Minister of Labour. Yesterday Fruehauf Canada, which produces truck trailers and vans in Brantford, announced the closure of its plant with 334 workers losing their jobs. Last summer, the Mississauga plant shut down with 300 jobs gone. Many of these workers had 25 to 30 years of service. On Monday, the workers at Crown Cork and Seal, formerly known as Continental Can, demonstrated here at Queen's Park over the announced closure of the plant in Etobicoke with 400 jobs lost. Many of these workers are also long-service employees.

Both of these are the result of free trade and higher interest rates. The directors of both unions, the Canadian Auto Workers and the United Steelworkers of America, have written to the Premier asking what action is being taken to protect workers' jobs and plant closures. What is the minister willing to do, other than the usual platitudes we get about retraining and so on, to help workers in these plant closures?

Hon Mr Phillips: The member acknowledged that the reports we had on Fruehauf were that high interest rates, a high Canadian dollar and competition out of the United States were some of the things causing that. The Premier, as I said in an earlier response in the House, anticipated some of the challenges as a result of free trade. That is one reason why the Premier's Council was set up. We invested about \$1 billion in the technology fund. As the member knows, I think, the Premier's Council is also looking at the personal side of it, the human side, the side of how we ensure that we have in our educational system, in our training system, in our labour adjust-

ment system, plans to accommodate and handle situations like that.

So what are we doing? The Premier's Council is, first, looking at ways that we can develop more jobs and, second, looking at labour adjustment, training and educational programs to help work with workers who are affected by such plant closures.

Mr Mackenzie: I heard an awful lot of looking. What we are looking for is some action. The minister will know that the service jobs that are replacing these jobs are paying \$300 a week. The manufacturing jobs we are losing are paying \$559 a week. The minister will also know that these two plant shut-downs are only a small portion of the almost 50,000 manufacturing jobs gone this year. The Liberal government is the one that said it would protect workers from plant closures before the last election. Is it not time that the minister kept that promise?

Hon Mr Phillips: Again, I remind ourselves that we have in this province the most progressive severance legislation of anywhere in Canada. We enacted that legislation to help protect workers. We are participating in the program for older worker adjustment. As I think all members know, we felt POWA could be more effective. We attempted to get the federal government to make it more effective, but in the end we are participating in POWA, and that is helping some workers through the tough transitional period.

In the end, the most important thing we can do is to create jobs. We are fortunate in this province that we have been able to have jobs created; as I said before, about 700,000 in the last five years. That is what we must continue to strive to do. Having said that, we have some programs in place to help assist those workers who are tragically affected by plant closures and we will continue to try to help those workers.

1450

HOME RENEWAL PROGRAM FOR DISABLED PERSONS

Mrs Marland: My question is to the Minister of Housing. Yesterday I asked the minister about the status of the Ontario home renewal program for disabled persons, which I thought had been cancelled based on the information in his ministry's estimates book for 1990-91. The minister assured me that the program had not been discontinued. In fact, he said that five times yesterday afternoon.

The minister should know that in a footnote to the expenditure details on the program it says, "This program terminates in 1990-91 and the appropriation represents the cash flow requirement to complete outstanding commitments." A few pages later, a table and graph on the program show that the target units to be modified for 1990-91 are zero, compared to 1,000 for 1989-90.

To me, the term "terminated" means discontinued. How can this minister explain the contradiction between the answer he gave this House yesterday and the information contained in his ministry's estimates?

Hon Mr Sweeney: I indicated to the honourable member yesterday that the program of assisting disabled people to rehabilitate their homes had not been cancelled and I repeat that today. There is not a specific budget amount in the estimates. The honourable member is correct on that. However, there are a number of ways in which the program is being continued.

The member will be aware of the fact that we do have a rehabilitation assistance program of a general nature, in which case many municipalities in this province have a trust fund to

draw from for that program. They may use that trust fund for the disabled and for the non-disabled. That is open to them. Therefore, there is a source of funds for that particular program. It is not specifically identified as such, but there is a source of funds for that program.

I can also tell my honourable colleague that we have built into all of the affordable housing components in our programs a section for the disabled. The member will be well aware that while there were 1,000 units specifically identified in an earlier budget, in fact we are well over 5,000 units by incorporating that into a number of programs rather than isolating it into a specific program.

Mrs Marland: I am disappointed because usually this minister gives very direct answers. I was not asking about affordable units. Our government started building affordable units into our housing programs. I was asking about a specific program. That specific program, no matter how the minister answers it, is terminated. It says so in his own estimates book.

I do not want to know what the minister is doing in other areas because in any case for the disabled people in this province it is not enough. What I want to know is what he is going to do to replace this specific program under Ontario home renewal for people with disabilities, the very program that he has said is terminated in his estimates book. Show us where the money is and how much money it is that the disabled can expect.

Hon Mr Sweeney: I have tried to indicate to the honourable member that our general home renewal program is one where we flow funds to municipalities. Each municipality has a trust fund in which those funds are placed. They keep them and they can hand them out to a range of people. That program is available to the disabled and to the non-disabled.

INTERNATIONAL TRADE

Mr Tatham: My question is for the Minister of Agriculture and Food. A few weeks ago, the United States House agriculture committee voted to spend \$53 billion on subsidies over the next five fiscal years. As the minister is aware, the Uruguay round of multilateral trade negotiations was launched in 1986 on an ambitious agenda for reforming the international trading system.

I am concerned about the apparent lack of progress in the Uruguay round in finding workable solutions for improving global agriculture and food trade. It appears that the positions of the United States and the European Community are dominating these negotiations to the detriment of the success of this round and perhaps to the detriment of the interests of the Ontario agri-food sector.

What is the Minister of Agriculture and Food doing to ensure that the interests and concerns of Ontario farmers and food processors are heard?

Hon Mr Ramsay: I share the concern of my honourable colleague about the success of the Uruguay round of the current GATT discussions that has agriculture on the agenda. I am taking a multidisciplinary approach on many fronts on how we are to enhance a successful and very positive outcome to this.

In fact last week I met with Michael Gifford, who is the senior agricultural trade negotiator for the federal government, not only to reinforce our view in Ontario of what Canada's position should be and how forcefully we should be presenting that position, but also to get a sense from him of what the potential for success is of the latest GATT round.

I would assure the member that as we get closer to the conclusion of this Uruguay round by the end of this year, we will be stepping up our efforts to reinforce Ontario's strong position for a strong Canadian position at the GATT table.

Mr Tatham: I wish the minister success.

I am also aware that the federal government recently tabled a proposal that brings greater strength and clarity to article 11. What progress has the federal government made in its bid to seek positive revisions to article 11 on behalf of all Canadian supply-managed industries?

Hon Mr Ramsay: Let me indicate to the member that I have continually pushed the federal government for a strengthening and clarifying of article XI 2(c), as the member refers to the GATT agreement. Article 11, as the member knows, gives Canada the authority to impose import controls on those items and commodities that we have supply-managed in this country. I am encouraged by the growing support for Canada's position by the Nordic countries and the European countries. I am starting to feel hopeful that we may be successful in having a strengthened and clarified article 11.

I will continue to update the House on Ontario's progress and the federal government's progress in these negotiations.

EGG PRODUCERS

Mr Wildman: I have a question of the Minister of Agriculture and Food. Could the minister inform the House what, if anything, he and his ministry are doing to ensure the ongoing success and prosperity of the egg producers in northern Ontario, to enable them to compete with the larger producers such as Gray Eggs in southern Ontario that have relationships with retailers and wholesalers that make it difficult for northern producers to get their eggs on to the shelves of the supermarkets?

Hon Mr Ramsay: As the member knows, all the feather trade in this country is under a national quota system. The egg producers of Ontario also are part of that and the Egg Producers' Marketing Board has its orderly marketing and also negotiates price with its customers, the retailers. Northern Ontario farmers benefit from that, as do those from the south.

Mr Wildman: The minister should be aware that recently Loeb-IGA suppliers in Sudbury discontinued their contract with the largest producer in Algoma district because they had an agreement with Gray Eggs for a larger so-called rebate for their product.

What is going to be done to ensure that the egg producers under supply management have the same protections that the milk producers have in northern Ontario, to ensure that they can supply the market in their part of the province?

Hon Mr Ramsay: I thank the member for giving me notice of this particular issue in his constituency. I will be contacting the egg marketing board about this matter.

ALCOHOL AND DRUG TREATMENT

Mr Pollock: I have a question for the Minister of Health. The minister is well aware of the lack of drug and alcohol abuse centres here in Ontario. The people of Bancroft are interested in establishing a drug and alcohol abuse centre in that area to service eastern Ontario or possibly all of Ontario. Would her ministry staff work with these people to see if that could become a reality?

Hon Mrs Caplan: I do not agree with the member opposite at all when he asks his question and suggests that there is a lack of facilities. In fact, we have seen a tremendous growth in the number of opportunities and programs in the area of drug and alcohol abuse over the course of the last few years, since this government assumed responsibility.

1500

I can tell the member that there has been significant change. For example, we have seen an increase in both numbers of programs and numbers of dollars available. This year, the amount spent in that area will be close to \$50 million, which is a significant increase.

The member asks how someone interested in providing a program should apply. I suggest that, of course, one can always have discussions with ministry officials. Local district health councils are involved in planning for future programming. But I would say to him that while our plans are under way for the future, we should be very proud of the services available in Ontario today.

Mr Pollock: How come so many people have to go to the United States for treatment then? It is my understanding that there are a lot of people who have to go to the US for treatment. That is why I feel there is a lack of facilities here.

Hon Mrs Caplan: I am quite surprised that the member opposite would ask this question. I have answered it before in the House.

We have seen very specifically an increase over the last few years which reflects the commitment of this government, particularly when his party had the opportunity and did virtually nothing in this area. We are making enormous progress with the establishment of an anti-drug secretariat to ensure that our program is comprehensive in its scope and in its nature.

The member knows as well that many people choose, for a number of reasons, to seek services outside of Ontario. Drug and alcohol addiction is a disease, and it is treated under OHIP policy as any other disease is treated. We are always working to improve the services here in Ontario.

I can assure the member that I appreciate his advice on this matter.

LONG-TERM CARE

Mr Elliot: I have a question for the Minister of Community and Social Services. Concern has been expressed that the minister's announcement of the long-term care initiative will result in neglect of the important provincial-municipal social services review. Would he care to comment on the state of that review?

Hon Mr Beer: I think we have right now before us two very important reviews, the one on long-term care, which sets out some strategic directions for the province and invites discussion, and the provincial-municipal social services review, which has attempted to look at the management and funding of our social service system.

I have met with the executive of the Association of Municipalities of Ontario and announced a parallel six-month consultation period for both those documents, in order to ensure there is plenty of time for input and to allow AMO at its August meeting to be able to respond to both those reports and to look at how they are each involved with the other.

Mr Elliot: The minister indicates that funds will soon be flowing for the long-term care initiative. Can he give the House a time frame?

Hon Mr Beer: As we announced in the statement, this year we are going to be flowing an additional \$52 million for a variety of services in the long-term care area. They will be focused on providing more attendant care spaces as well as providing more funding for homemakers' services and the like. That \$52 million, as the honourable member knows, is part of what will be some \$640 million which will be added to the overall system of long-term care.

During the six-year implementation period for the whole program, approximately \$2 billion will be spent by this government to ensure better services in the community and in the home for those with physical disabilities and those who are seniors.

It is our belief that we will be doing this in partnership with municipalities, community groups and organizations. That is why we have set up this consultative process. But we will be making sure that those new dollars will start flowing as soon as this September.

MOTION

DEEMING AS SESSIONAL DAY

Mr Ward moved that, notwithstanding standing order 2, Thursday 21 June 1990 be deemed to be one of the last eight sessional days in June for the purposes set out in the standing orders.

Motion agreed to.

PETITIONS

EDUCATION FUNDING

Mr Wildman: I have a petition signed by 27 members of District 30 of the Ontario Secondary School Teachers' Federation and addressed to the Parliament of Ontario.

It points out that the Premier has failed to live up to the promise to fund education at a level of 60% of total cost and requests that the government of Ontario begin immediately a program of increased funding to local school boards to ensure that it raise provincial funding levels to 60% of total cost and that no public board suffer net loss of revenue due to the pooling of commercial and industrial assessment.

I agree with this petition and I have signed it.

PUBLIC SECTOR NEGOTIATIONS

Mr Runciman: I have two petitions, the first one from constituents of Leeds-Grenville.

These are employees of the provincial government who are very concerned about the approach of the provincial government in respect to bargaining, working conditions and employee benefits for public and civil servants and about the fact that the government has assigned a number of negotiators, which has had a negative impact on negotiations. They are urging the Minister of Financial Institutions to be directed to deal with these matters in a soberminded, businesslike and expeditious manner.

I support the petition.

PRINCE EDWARD HEIGHTS

Mr Runciman: The second petition is from residents of Hastings, Lennox and Addington counties and deals with the announcement by the Minister of Community and Social Services divesting Hastings, Lennox and Addington of a division of the Prince Edward Heights complex in Picton. This is going to have a very negative impact on that particular riding and they are urging the government to reconsider that decision.

WORKERS' COMPENSATION BOARD

Mr Morin-Strom: I have a set of petitions that have been signed by approximately 1000 residents of Sault Ste Marie, the district of Algoma and a number of other communities across northern Ontario. This petition has been collected by the Sault labour council and the Injured Workers' Association of Sault Ste Marie. It reads in summary as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Workers' Compensation Board has announced that workers' compensation claims of the Sault Ste Marie and Algoma district are to be transferred from the Sudbury office to the Thunder Bay regional office; and

"Whereas there was no consultation with injured workers or worker representatives in northern Ontario before this decision; and

"Whereas it is as far to Thunder Bay for residents of the Sault as it is to Toronto; and

"Whereas services to injured workers would be improved by expanding the information service office in the Sault to a full service office,

"We, the undersigned, petition the Legislative Assembly of Ontario to ask the Workers' Compensation Board to reconsider their decision to hold meaningful consultation and to relocate all appropriate Workers' Compensation Board services into an expanded Sault Ste Marie office."

I certainly hope that the Minister of Labour will take this matter very seriously and will act upon it right away.

ACADEMIC CURRICULUM

Miss Roberts: I have a petition signed by approximately 250 people from my riding. They are petitioning the Legislative Assembly of Ontario as follows.

They respectfully request the government to provide time for opt-in classes in our public schools for the teaching of Christian religious education and moral ethics to all the students whose parents request it. If this cannot be provided, they are requesting publicly funded Christian schools on the same basis as the Roman Catholic schools.

I have affixed my name to the petitions as required, pursuant to the standing orders.

EDUCATION FUNDING

Mr Allen: I have several petitions, with names amounting to several hundred persons, who petitioned the Legislature of Ontario as follows:

"Whereas the government of the Honourable David Peterson has failed to live up to his promise to fund education at the level of 60% of total cost; and

"Whereas the government of the Honourable David Peterson has failed to give a legislative guarantee that no public board would suffer a net loss of revenue as a result of the pooling of commercial and industrial assessment;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario begin immediately a program of increased funding to local school boards to ensure that it raise provincial funding levels to 60% of total costs and that no public board suffer a net loss of revenue due to the pooling of commercial and industrial assessment."

I have affixed my name to this petition as required in the standing orders.

1510

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Tatham from the standing committee on regulations and private bills presented the committee's report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr66, An Act respecting the Town of Simcoe.

Your committee begs to report the following bills as amended:

Bill Pr60, An Act respecting the City of Ottawa;

Bill Pr69, An Act respecting AXA Home Insurance Company.

Motion agreed to.

INTRODUCTION OF BILLS

ENVIRONMENTAL PROTECTION STATUTE LAW AMENDMENT ACT, 1990

Mr Ward, on behalf of Mr Bradley, moved first reading of Bill 220, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act.

Motion agreed to.

TOWNSHIP OF FRONT OF LEEDS AND LANSDOWNE ACT, 1990

Mr Runciman moved first reading of Bill Pr68, An Act respecting the Township of Front of Leeds and Lansdowne.

Motion agreed to.

ORDERS OF THE DAY

OPPOSITION DAY

CHILDREN'S SERVICES

Mr Reville moved opposition day motion 4:

As Canada becomes a signatory of the United Nations Convention on the Rights of the Child—a reaffirmation that children's rights require special protection and a recognition that children require an atmosphere of happiness, love and understanding—tens of thousands of Ontario's children are beset by sexual and physical abuse, drugs, hunger, homelessness and despair, therefore we call on this government to live up to the obligations set out in the Convention on the Rights of the Child by putting in place the policies, programs and legislation necessary to ensure that children become our most precious resource in fact as well as in our societal mythology.

The Speaker: Mr Reville has just moved the resolution, which you have listened to carefully. I would remind all mem-

bers that according to the standing orders, the time this afternoon will be divided among the three parties equally and, if the member proposing the resolution wishes to wind up, that part will have to be taken out of his party's time.

Mr Reville: This afternoon, on behalf of the New Democratic Party, I have moved a broad resolution inspired by the fact that quite recently Canada signed the new United Nations Convention on the Rights of the Child. It is not yet ratified and so does not yet have the force of the law. Before ratification, the federal government must not only seek the consent of all 10 provincial governments in Canada, a process we have lately watched with dismay and perhaps amusement, but also any legislation or policy or program which would breach any provisions of the convention, provincially or federally, has to be corrected to comply with the convention or the province could be ordered to do so under international law.

It was suggested to me by Ted Ball, who is a consultant to the Ontario Association of Children's Mental Health Centres, that a juxtaposition of the United Nations Convention on the Rights of the Child and the problems that have been outlined by the association of children's mental health centres was appropriate. It is his contention and the contention of the association of children's mental health centres that the failure of the Ontario government to provide for the care of its children—citing the waiting list of 10,000 children—means that when the convention is ratified, Ontario could well be in violation of it. What a cruel and ironic situation that would be if one of the wealthiest jurisdictions anywhere in the world were to be unable, for whatever reasons, to meet the standards set out by the United Nations in respect to the protection of children.

We know that poverty is bad for people. Poverty is especially bad for children. Poverty is bad for our health. It is particularly bad for the health of children.

My leader, earlier this afternoon in questions that he posed, cited some of the findings. The Canadian Institute of Child Health released a report in January 1990. It is an independent, non-profit organization founded in 1977. The study pointed out that a poor child had a 56% higher death rate than a child of a family who was better off. We have known for some long time that poverty has a strong correlation with increased risk of illness, of psychological problems and of course death.

We know that one in 10 of our Ontario families lives in poverty. We know that if your mother is poor, the likelihood will be that you are born smaller, low birth weight, which epidemiologists tell us has quite profound impacts on the health that you will enjoy throughout your life. That is why the rates for chronic illness and other functional limitations are far, far higher among children whose families are below the poverty line.

Children are twice as likely in this province to be fed by a food bank as are adults. There are legions of studies of nutrition that demonstrate that children between 4 and 12 of poor families have serious vitamin intake deficiencies.

1520

I promised one of my constituents, who calls me frequently because he is very interested in environmental hypersensitivity and who has made a life's work of trying to raise the issue of environmental hypersensitivity and to try to undercut some of the mythology about environmental hypersensitivity—the Speaker may know that sometimes people who suffer environmental hypersensitivity are wrongly diagnosed as being mentally ill. Of course, that same risk is liable to affect children who have environmental hypersensitivities as well.

It is perhaps an ironic coincidence that Judge Thomson, who wrote the much more current report, *Transitions*, on social assistance and recommending significant changes in our approach to social assistance, did a report in 1985 on environmental hypersensitivity in which he recommended strongly that the Ministry of Health and the government of Ontario undertake certain educational programs to make it possible for people to understand the nature of environmental hypersensitivity, and of course that is another report by Judge Thomson that this government has had before it and has not implemented adequately.

So for Chris Brown, who takes this matter deadly seriously and who will continue to advocate on behalf of those who suffer from environmental hypersensitivity, whether they be adults or children, I am pleased to be able to make that point.

"The day should be over when children are seen and not heard. They can be seen today working as child prostitutes in bars in Nairobi or as virtual slaves in cocaine factories in Bolivia, but too often they are not heard when they want to tell their stories or when they cry out in hunger. Children are the world's most frequently abused and neglected citizens. In the Third World, and even in Canada, children make up the largest single group living in poverty."

Those last few sentences are from an article in the *Toronto Star* last summer, talking about the United Nations debate on children's rights.

It strikes me that, given the opportunities we have in Ontario to create social and economic democracy, there is no excuse for us to fail to meet the obligations under the convention and to in fact assist countries that do not have the kind of economic, political and social resources that we have here.

At the very same time as it was announced that we were about to sign this convention, we saw the most bizarre situation. It is hardly imaginable. My colleague the member for Hamilton West raised this with the Minister of Community and Social Services just the other day. A mother who lives west of Metropolitan Toronto in the Mississauga area believed that the only strategy she could use to ensure that her child would get the services of a children's mental health centre was to place that child into care. Imagine in Ontario a parent believing that the only way she could get the care that she believed the child needed was to put that child into the care of the children's aid.

There are so many, many examples of ways in which we have, in my view, let our children down.

I raised in the Legislature on 22 March the really quite odd situation that for 22 years there had been a program operating at the Wellesley Hospital for children with severe perceptual and motor disabilities. For the want of \$50,000 in funding, that program was discontinued. I am happy to say that the parents whose children have benefited from the program have gone out and raised money privately so the program has started up again, but one of the absurdities of this situation is that not one of the ministries of this government could find a way to meet the objectives of the program.

It is a preventive program. The children are so profoundly disabled that they have difficulties with their self-image. What the research shows is that when children like this grow up, their self-esteem is so low that they often end up without a job, on welfare, perhaps in jail, and some of them kill themselves. What they do at the program is speech therapy and physiotherapy to help build life skills and social skills and confidence. Yet the Ministry of Education, the Ministry of Community and Social Services, the Ministry of Health and the

Ministry of Correctional Services all said, "Not our department, not on our floor; go and talk to them."

Of course, the parents went from one ministry to the other and they got, everywhere they went, a great deal of sympathy, but they did not get any funding. That is because we do not have in the province of Ontario a ministry of empowerment. If there is one project in which children have to be engaged as they grow up, it is the project of empowerment. All the structures that we put in place for our children should be empowering processes for them.

I happened to ask the Minister of Education the question that day, because it was difficult to choose from all the ministers a particular minister to ask, and he said that he would look into it. He has been looking into it, but so far nothing has happened, and I am disappointed in that.

The Convention on the Rights of the Child is organized, as are United Nations conventions generally, in a series of articles. The articles are obvious kinds of articles that would sound familiar to people: Every child has the inherent right to life; we must ensure to the maximum extent possible the survival and development of the child; article 24 establishes children's rights to the highest attainable standards of health through access to proper nutrition, clean drinking water, health care and health education.

We know that for many children proper nutrition is the luck of the draw. It depends what is going at the food bank that day. We know from looking at the shelves of food banks that the articles on those shelves do not always meet the Canada Food Guide.

1530

Mr Pouliot: When we were up north on the reserves there were no food banks.

Mr Reville: Yes. That is an interesting observation by my colleague the member for Lake Nipigon. He reminds me of a visit that he and I made to the reserves on the west coast of James Bay about a year ago now, where in fact we saw thousands of children all told, I guess, over the five reserves that we visited there, whose families have no access to running water, for whose communities there is no sewage treatment, whose only supply of food is through the Hudson's Bay Co store, where a litre of milk is about \$3 and where it is much cheaper, of course, to buy canned milk, which increases the prevalence of diabetes among that population because of the high sugar content.

We saw also in that very same situation how little we regard our children when we arranged for a young Cree mother, hardly older than a child herself, to be flown from James Bay halfway across the country to Kingston to have her child in an environment where no one speaks her language. What a way to start one's life, when one's mother is feeling the alienation and isolation of giving birth to a child far, far away from home in a different culture, in a different language, probably after an airplane ride which was the initial flight of her life.

Article 27 recognizes the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. We are aware that it is not just meeting the physical needs of children that society must be concerned about, so when we get past the basic provision of shelter, the basic provision of food, we have to think of the ability of parents to care for and nurture their children, and we have concerns in Ontario in that regard as well. Those concerns, I expect, will be addressed both by my colleague the member

for Hamilton West and by my colleague the member for Scarborough West.

We are aware from a number of reports recently—a Provincial Auditor's report in 1989—that our children's aid societies are so overwhelmed with their case loads and so underpersoned in terms of their response to the case loads that they are unable to meet even the requirements of the laws that have been put in place to protect the children in their care. We know, for instance, of children who are crown wards. A significant percentage of those children who have been identified as in need of care because they are at risk have been physically and/or sexually abused, both in the homes from which they were removed and in the places to which they were taken for their own protection. This is a situation that has to be considered serious, shocking and, some would say it is not too much to say, obscene. We have to ensure that those who we charge with the responsibility for protecting children at risk are in fact able to do that.

Many of the 54 children's aid societies in this province regularly break the laws designed to protect youngsters in their care. This is the information that comes to us in government reviews. We know there are children in a number of special services and youth correctional homes. We are not convinced at all that there are adequate protections in place to ensure that the situation is a safe and nurturing situation.

We will be happy to see in the fall the results of the work done by my one-time colleague Joanne Campbell and we hope they will be reassuring, but we are concerned. We have raised this matter in connection with vulnerable people in general and we must raise it in connection with children at risk. We very much need to have in this province a systematic advocacy system so that any vulnerable person, whether that person be a child or an adult, has access to advocacy services to ensure that his or her rights are protected, his or her humanity is respected and that in fact the services which we all hope will be of help to people actually are of help to people.

If members have an opportunity to travel to other parts of the world, to visit the Third World—I guess the most shocking part of the Third World was to see the Third World right here in Ontario. I did not expect to find the conditions so shocking as I did on the James Bay reserves, but I have had some experience in working with inner-city children. I do know and I do deplore the fact that, even as I speak, people who are barely teenagers are selling their bodies in order to get enough money so that they can buy drugs. That activity is happening in stairwells to which I could walk, and if anybody wants to come with me, I will take him there. It will take us about 20 minutes. We can observe our young people whose aspirations and expectations of the future are so bleak that they are going to lose themselves in some kind of narcotic haze because it is better than contemplating what tomorrow will bring.

It is not a situation that is going to be easy to correct, because it requires action across a whole number of fronts in terms of what we in my party would describe as social and economic democracy. Of course, economic democracy is a concept that is somewhat foreign to the ideologies of the other two parties with whom we share this space, but it is a concept that is absolutely essential and central to the ideology of a democratic socialist. Not only must we have social democracy, we must have economic democracy, so that the share of the resources that are available in a province as wealthy as this is are much more even than we have ever yet been able to see happen.

With those introductory remarks, I am going to close. I know other members will be interested in the debate, because it

is a persistent myth that we love our children in this society. I call on all members to make that myth a reality.

Mrs Cunningham: It is my privilege to be able to speak to an opposition day New Democratic Party motion which brings to light our concerns, our hopes and our desires for an improved quality of life for children, not only in Ontario and Canada but around the world.

I think the purpose of today is to remind all of us that right here in Ontario there are policies and programs that we should be supporting in a more efficient way and certainly with more resources, to assist children in their quality of life, their right to an adequate and good education and the right of families to live at an adequate level so that they can feed and clothe their children and look forward to a quality of life for their futures beyond what we ourselves experienced as young children growing up in this great province. It simply does not seem to be a reality for many children, not only in this great province but across Canada.

1540

Children make up the single largest group of poor people in Canada. Despite a decline in the total number of children in Canada, the number living in poverty has gone up in the 1980s. For those of us who represent the public of Ontario in this great Legislative Assembly, I think one of our greatest challenges, if not the greatest single challenge we will have in education, health care, social services, housing and transportation, will be to face, deal with and come up with solutions to the problems today and in the future of child poverty.

More than one million children were growing up in poverty in Canada in 1986. That is an increase of 120,000 children since 1980. Parental unemployment is the main cause of child poverty. Moms and dads are unable, for reasons that some of us are aware of, to find employment. With recent improvements in the employment picture that we are aware of, certainly here in Ontario the rate of poverty among children has begun to fall gradually. For that we are grateful. But the reality is that it still remains 17.3% higher than it was in 1980. So although it is falling slightly, it is much, much higher, 17.3% higher—and this is poverty among children—than it was in 1980.

In spite of what I said about unemployment, working families with children are not immune to poverty. You can imagine going out and working full-time or part-time and still having to face the statistic that one half of all poor children live in families where the head of the family works full-time or part-time. Women, often the sole supporters of their children, earn only two thirds of the wages that men earn, even today.

Many of us have been working very hard to bring that statistic to the attention of employers across the province and certainly have been working hard in the Legislative Assembly to do whatever we can through legislation and guidelines to make that better, but it is still a very real fact. It affects the quality of life of so many children, and more important, their hopes and aspirations and those of their families.

The other great challenge is the challenge of affordable family housing. Low incomes and declining purchasing power are not the only causes of poverty. The shortage of affordable housing in Canada and in this province illustrates what happens when the necessities of life are priced beyond the means of modest incomes. Many of us know that the great dream of many young people, children, young parents for their children, is to have a wonderful place to live, to have their own home and to give their children at least what they were able to have when

they were growing up. The challenge of affordable housing in this country is a real one, especially in Ontario.

In some Canadian cities, families with children are spending between 40% and 70% of their incomes on housing, if members can imagine. Disproportionately high housing costs, in turn, leave less money for food, clothing and other necessities, as evidenced by the increasing number of Canadians turning to food banks and other agencies for their basic needs. We in this House, on many an occasion, have had the opportunity to ask questions and listen to responses—and certainly in committees—to influence decision-making around the issue of food banks right here in the greater Toronto area, as well as in the city where I reside, London.

We know that we have a challenge and we know that this opposition day is here for a purpose, and that is to remind us that we have an opportunity here in this Legislative Assembly to effect change in policy and programs that will affect the quality of lives of many children in the cities and communities across Ontario.

Through legislation and the proper allocation of resources, we know that we are investing in the future of our province and in our country. By introducing policies and programs to benefit families with children, governments have signalled society's acknowledgement of the valuable social job done by parents. Ensuring that these policies and programs continue to deliver their benefits and that benefits retain their value will signal continued commitment to sharing responsibility for the wellbeing of children. I underline that it is all of our responsibilities to ensure the wellbeing of children in our province.

The consequences of failure are very real. Through research, of which this government takes part in colleges, universities and social service agencies, people who spend their time in social service research have documented in many studies the consequences of failing to make the crucial investment in families and children. Hardship, ill health and educational failure shape the lives of many children growing up in poverty.

I would like to take the opportunity today to urge the government and the ministers responsible along some policy decisions that we in the Progressive Conservative Party feel are very important. Part of my role in the work that I do as critic for the Ministry of Community and Social Services and a person who has the privilege of asking questions in this Legislative Assembly, I like to think, is assisting the different ministers in their work as they try, of course, to influence the policies of the government and certainly the mind of the Treasurer of Ontario.

I shall begin with children's mental health facilities. I think many of us who, for five years, have been involved in our communities in different capacities have seen the increased need for counselling and support systems for young children when it comes to not only their physical health but, just as important, their mental health, the kind of support they and their families need.

I think even the minister would agree that it is with great concern and sometimes shock and some sense of disillusionment that we see the numbers of children piling up on waiting lists for treatment in Ontario's children's mental health centres. It was with some dismay that I listened to members of the government speak about the adequate support systems out there. They simply are not adequate. It is a matter of priority, as I raise this issue in the House today, as we take a look at the spending practices of the government, that children on waiting lists are children who are truly there for a reason.

There is no parent, teacher, physician or friendly neighbour who would recommend that any child or family be on a waiting

list for mental health counselling and support system services. It is a very serious case when a child is waiting for those kinds of special services in Ontario. I speak as one who has worked in those institutions.

Things have got worse because of the falling apart of family life, in many instances, for very young children; the despair of people in poverty, especially families with young, single parents. We all know what the statistics are when it comes to divorce, separation, support systems for our young children growing up. As a result, as we know, we cannot fix all the ills of society but we can certainly give it a good go as we represent the public.

1550

Right now, we should know that the waiting lists have tripled since 1984. They have gone up threefold. The current waiting list for treatment is between six months and over a year, and many of those waiting suffer from physical and sexual abuse and suicidal tendencies. I raised the question in the House not too long ago to the minister, who I think responded with the same degree of concern that I have myself. I pointed out that there was a time when we used to talk about some children as being suicidal and having to be dealt with within hours. We would never let that kind of referral go beyond the end of the day, or those of us who were working in those facilities simply would not leave our work for fear of what might have happened.

Right now, anything but. Suicidal cases are considered—I will use the word the professionals themselves use as they deal with these young children—and are called “routine.” What has our society come to? What is happening with our support system when we in our hearts and our work as professionals, as people who are trained, can refer to any child on a waiting list as being routine. But it is happening. It will not be an easy problem to deal with, but it is one that has to be given a very, very high priority because some of these children are two and three and four years of age. They can be helped and so can their families.

Right now I will say, if I could urge the minister to do anything at all, that I would urge him to do this: There is a special Advisory Committee on Children's Services being chaired by Colin Maloney at this point in time. I believe the report is soon to be released. I know that the mandate of that particular committee is very, very broad. I would think there would only be one small piece that would relate at all to the problem of children's mental health counselling and those waiting lists. I would urge the minister to take a look at the request of the institutions themselves, of teachers, of physicians, of social workers who have said, “Let's take a look at how the services are being provided for those children at the three and maybe four ministries that are involved, just for those children, and see how we can do it better.”

As someone who has worked out there in the profession, I really believe that there is a tremendous duplication of administrative services, and that these children could be reached at much earlier ages and at a much sooner period of time. That is called prevention and that is called help. That relates back to this very motion today, “...we call on this government to live up to the obligations set out in the Convention on the Rights of the Child by putting in place the policies, programs and legislation necessary.” That is a beginning. If you do not have the framework, you will never provide the services.

I would like to move on to another topic that I have raised in the House before, and be very specific in my request and take

this opportunity, and that is a program for some very special children in our society, and young adults and adults as well. It is called the special services at home program. It has always been there as part of the programs of the ministry, but it has certainly been one that has become very much more needed in a very real way since the government of the province of Ontario—it was our government at the time and luckily the Liberal government has seen fit to move in the same direction, and it is the direction referred to out there as deinstitutionalization, which I believe in, and I believe that my colleagues in this House believe in that.

There is no better place to be for children who are disabled, who are developmentally handicapped, who are special, than with their own families if their families can deal with it and cope with it, and that is not easy. I speak now as a parent of a special child. It takes tremendous energy, tremendous support systems, tremendous help from friends, neighbours and family, and it takes help from government. I commend the government for the help it is giving to our special children with this really great program.

The problem is this: The program started out in a very small way, and those of us who work out in the communities and the parents were told that it would take some amount of time to see the gains made by deinstitutionalization, to see those resources, those dollars move from one program into another. Parents are becoming somewhat sceptical and impatient about this, because these children may have been three and four years of age when their parents decided that they wanted to keep them for their whole life, if they could, and as they have become older and are now 8, 9, 10 years of age, in some ways because of their physical size and because of the long time it takes and the tremendous physical and emotional strain on behalf of families, they become even more difficult to care for. We actually witnessed in this House about a year ago a cutback in that program.

I will say that in talking to the minister's office this morning we can see that the special services at home program has been given some special attention, and for the families out there that qualify and for families that have been asking—families specifically in London and across the province of autistic children, for instance—they will be for ever grateful. But so are all the taxpayers because, first, the young children are getting the program they need and so are their families, and second, we are doing something that is a very good use of the taxpayers' dollars and resources, much more effective and much less costly than institutionalization.

Although we now will say thank you to the government for the expansion of this service to physically handicapped children and developmentally handicapped adults—with all the legislation we have to deal with when we start talking about 13-year-olds and 16-year-olds and 20-year-olds, these young adults, many of them, are always children no matter what their age, so in fact they need this program.

I would say to the minister that if he has an opportunity, some time tomorrow morning if possible, could he take a look at this money that will not begin to flow until September? The summer is coming up. It is much more difficult. Families hope to take holidays. They need respite time for these children. It is a very tough time for families during the summer months. I would urge him, if he could in any way, to start flowing some of that money certainly as soon as possible.

We are seeing some \$9 million to \$10 million in 1991-92. We know it is not enough. It is a beginning. I will certainly be on my feet as often as I can to ask for even more because, first, it is the best program; second, it is a very efficient use of the taxpayers' dollars; third, it is so good for families. I am actually

helping the minister here today. We will get these comments over to him and we will especially make certain that we personally deliver them to the Treasurer tomorrow to help the minister out.

The third item I would like to talk about, since we are talking about children, is the issue of child care in the province of Ontario; that is, again to be very specific, the issue of quality child care. I will remind the minister again that we are very concerned about a report in February 1989 where there was a review of over some 16,000 licensed spaces. The inspection reports revealed that some 40% of those child care centres did not meet our own guidelines and regulations on safety, cleanliness and quality.

As recently, I believe, as November 1989 the Provincial Auditor himself reminded the government that the ministry has not adequately monitored the operations of problem child care centres. Given that we all believe in monitoring of quality, we are looking for a couple of things before the House adjourns. We are asking for a report on the enforcement practices, which I believe the minister did promise, which will of course reflect on the quality of child care in the province of Ontario. That one just saves me a question in the House.

Just briefly and in conclusion, I would like to remind the House and the government that the issue of truancy is very real in our school system, that we are facing—I have raised it for the last couple of years—some difficulties with new legislation as we take a look at the implementation of the Young Offenders Act. The judges in the court system, Mr Speaker, that you will relate to because of your own work, do not have the right or the power to counsel, ask or demand that these truants take counselling. We used to be able to do that, so we lost something in this new legislation.

Perhaps the Minister of Community and Social Services could remind the Minister of Education that we were looking for a research project on habitual absence that was commissioned by the Minister of Education. It has been completed for over two years, but the results have not been released. I am aware of it, but I think it should be publicly released.

1600

At the same time that is released, and I would hope very quickly, the government should amend the Education Act or add to the Education Act either a new clause or some recommendations so that judges can order counselling for the truants in our school system, because our hands are tied to help them.

I hope my colleagues will go on this afternoon to speak about the challenges in our children's aid societies, the need for lower workloads for social workers and the need for more social workers in our school systems to deal with the children, who because we have not been treating them, I believe, early enough are facing behavioural problems for which teachers quite frankly have not been trained to deal and do not have the time to deal with.

The issue of the quality of life for children is an important one. They are our future. We know, because of the great gains that we have made in society today, that there are ways we can assist children and families. We also know that we live in times that are troublesome and that are challenging, that many of us have unrealistic expectations for our quality of life, but for children they should never be unrealistic. We know that all of us are committed to do whatever we can in this Legislative Assembly to put forth those policies and practices so that we in fact will be supporting a better quality of life for children right here in Ontario.

On that note I will say that this is our challenge and it is a very real one, and I thank members for the opportunity to speak this afternoon.

Mrs LeBourdais: It is with pleasure that I respond to the resolution put forward by the honourable member for Riverdale. I feel certain that every member of this House will concur with the fact that the children of Ontario are our most precious resource. This fact, not myth, has been the driving force behind the numerous reforms and initiatives undertaken by this government in the vital area of social policy since 1985.

Concern for the welfare of our children has always been a top priority of this government. We stand determined to give all citizens of Ontario the fair start that they most assuredly deserve. To realize these objectives we believe that society, in co-operation with individual parents, must bear the responsibility for the welfare of each and every child. We are not alone in such thinking. As the United Nations Convention on the Rights of the Child states in article 27, governments "must recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development."

It is to ensure that this province's children can fully exercise such rights now and in the future that this government has undertaken the most sweeping reforms to Ontario's social assistance system in over 40 years, for like all our resources—trees, minerals and water, for example—children require a substantial investment on the part of both individual parents and society at large if they are to achieve their full potential.

Our reforms, based on recommendations by the Social Assistance Review Committee, represent an important and badly needed contribution towards ensuring that those responsible can create an environment in which a child can flourish, for as the convention states, and I quote again, "The parent or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development."

Increasing these abilities and financial capacities of parents or guardians is what the government's reforms are about. As with most of our initiatives, overhaul of what was an antiquated welfare system came about through working in partnership with other organizations and all the people of Ontario.

We embarked on the process of reform step by step, seeking consultation at every juncture. We sought not just change but innovative and creative change. We wanted to devise a system that went beyond providing the bare minimum for families and children. We wanted to create a more positive environment that would enhance the emotional, mental and physical wellbeing of all social assistance recipients.

That is why this government's reforms are designed explicitly to help those receiving social assistance to become more financially independent. To accomplish this, we have significantly increased benefits to those faced with high shelter costs, and to make the system more accessible we have worked to reduce the complexity while introducing greater fairness.

These reforms have been backed up with significant increases in expenditure. Today the Ministry of Community and Social Services is second only to the Ministry of Health in terms of the government's financial commitment. This year alone the ministry's budget was increased by 16.1% to a total of \$5.8 billion. The basic allowance for recipients of family benefits and general welfare assistance has been increased in both the last and current fiscal years.

In fact this government recognized early on that much needed to be done in the crucial area of benefit levels. We

responded to this need and responded quickly. Between 1985 and January 1989 we implemented seven increases amounting to total additional expenditures of \$438 million. Social assistance benefit levels since 1985 have exceeded inflation by 22%. We have provided these increases despite the action of the federal government this year to limit its growth in cost-sharing payments to an arbitrary 5%.

But we have known all along that simply raising benefit levels is not in itself enough, so in addition some \$138 million was allocated last year to shelter allowances that assist renters and home owners who receive social assistance. New, higher ceilings for shelter costs are now covered 100% compared to only 80% in the past. Further increases of 5% have also been announced for this year. As a result the children of this province are benefiting from an improved financial wellbeing.

Our reforms have also been directed at improving other aspects of family life in this province. Encouraging adults to engage in productive, meaningful employment promotes a healthier, more positive influence on all children. This is one rationale behind our ground-breaking supports to employment program, or STEP, which was announced in October last year. STEP ensures that social assistance recipients are both financially better off from taking employment and are increasingly better off with each dollar earned.

Previously, as members are aware, social assistance recipients were often penalized financially for receiving additional income and they were explicitly prevented from working for more than four consecutive months, even if their wages were less than what they would receive under assistance. Such arbitrary rules only serve to prolong the poverty of the entire family and in particular the children. Through eliminating such rules, redefining income in net terms, providing compensation for basic working expenses including child care, exempting more earnings and no longer withdrawing health benefits, STEP is just that: an important leg up for those at the bottom of the income ladder.

But we did not stop there. This government supported STEP with another significant financial commitment, namely, \$54.2 million in higher social assistance rates for parents with children. In so doing we achieved a fairer recognition of the costs of raising children at various ages, introduced a simpler rate structure for families with children, and equalized benefits between children on general welfare assistance and those on family benefits.

STEP is most effective where assistance is needed most, for this province's single parents, and as a natural consequence the children of such parents. For instance, a single social assistance recipient with two children under 10 years of age paying rent of \$600 and child care of \$500 who obtains employment at \$8 per hour could experience a net monthly improvement of \$702 under STEP.

1610

To add further impetus in this direction, the province, together with the municipalities, has funding to expand existing pre-employment support programs. In doing so, we aim to enable those receiving social assistance to move more rapidly towards employment and training opportunities. At the same time, work is continuing, together with our staff from other ministries and our other partners in the volunteer sector, to develop a more comprehensive design for employment support programs and services. In short, the government is making every effort to ensure that social assistance recipients achieve real benefits through STEP.

While it is still early, our faith in the program is being reinforced by positive results generated thus far. From September 1989 to March of this year, the number of people on social assistance with earnings went from 28,600 to 45,300, an increase of 58%. Furthermore, their average earnings increased from \$330 per month to \$520 per month, an increase of 57%.

No one is saying that these measures alone will serve to break the welfare cycle. But substantial evidence exists to prove what the SARC report originally suggested, that people on social assistance prefer to be working. A start has been made, a process begun, and this government is firmly committed to continuing that reform.

As a further challenge to any sceptics, I can cite a drop in the number of welfare recipients requiring food bank assistance since the reforms were introduced, by as much as 25%, according to food bank operators in various parts of the province. Equally if not more gratifying, the number of children depending on food banks has also declined significantly. This positive momentum must be maintained.

This government continues to increase its investment in children, our most important resource. The 1990 Ontario budget introduced a \$44-million tax cut for 115,000 lower-income families with dependent children and/or dependants with disabilities. The allocation for child care has been raised a substantial 16% for the current fiscal year. In fact, over the last five years this government has increased funding for child care by a factor of 400%, from \$88 million in 1985 to \$396 million this year.

Through such expenditures, we have succeeded in doubling the number of subsidized spaces. This year some new \$2 million will be provided as direct operating grants for an additional 3,200 child care spaces, and a new \$8 million will be used to provide subsidies in support of these added spaces, to assist more families in paying for child care. In recognition of the importance we place on our partnership with the province's municipalities, an additional \$10 million is being provided to help them in meeting their child care cost pressures.

This government's commitment to child care has never wavered and it never will. Unfortunately, however, the same cannot be said of our federal counterpart. As growth has continued in Ontario's child care system, the federal government has imposed a 5% limit on the Canada assistance plan. Programs like child care will no longer be fully cost-shared by Ottawa, and a national child care plan has been delayed until 1993. At this time, we can only hope that the federal government will restore its traditional role as a full partner in child care and other social services throughout Canada. For, of course, much more needs to be done. No one can deny that.

As the preamble to the United Nations convention states, in all countries in the world, including Canada and the province of Ontario, there are still children living in exceptionally difficult conditions. This government agrees with the convention in recognizing that such children need special consideration. Reducing the poverty that is all too often the root cause of such conditions is the heart and soul of our reforms, and we want to continue to build on such promising beginnings.

To that effect, in May the Minister of Community and Social Services announced the formation of an independent advisory group chaired by Allan Moscovitch, associate professor of social work at Carleton University. This group will advise the minister on developing new social assistance legislation for all of Ontario. To date, some 230 issues have been identified that must be addressed if the legislation is to continue the fundamental reforms that have characterized our progress thus far.

There can be no doubt that this government fully supports the rights of the child as set out in the United Nations convention, but to give such rights real meaning we must provide programs and services in tune with the dynamic and ever-changing world which our children are entering. To be effective, the policies and programs aimed at eliminating child poverty today must be constantly changed and adapted for tomorrow.

It is to facilitate this process that the government is strengthening co-ordination between its various ministries, so that we can better target our programs to the problems at hand. It is to facilitate this process that we are seeking greater integration of government policies and programs to ensure that children receive the full benefits that are, by right, available to them. It is to facilitate this process that we are continuing to fortify our partnerships with municipal governments, the private sector and, hopefully, the federal government, so that children can have a real claim to these rights in this province and in all of Canada.

Whether we are third-generation Canadians or recent immigrants, whether we are better off or low-income, whether we sit on this side of the House or across the floor, we share a common concern for the welfare of our children. This government will not rest in its endeavours until all the children of Ontario are able to develop to their full potential.

Mr R. F. Johnston: There is a certain predictability to this kind of debate: Opposition members raise concerns and government members come back with Pollyanna statements about how wonderful everything is and list many facts about dollars spent in this division or that division to counteract the issue.

But as I read the member for Riverdale's very useful resolution for us today, it is to say, to put it into context, that maybe we have to look at the overall state of the child in this province at the moment—now is as good a time as any—and do that in the context of the United Nations convention which has just been signed by this country and to which Ontario, one would hope, might indicate its support. From the last speaker I gather that there is some kind of tacit support.

This kind of notion of dealing with children's rights is not new to this House. Long before I was elected I am sure it was dealt with, but as early as November 1979 I was involved in a debate in private members' hour on an initiative by the then member for Bellwoods, Mr McClellan, Bill 102 at that time, to deal with the question of children's rights in the province. They had a list of a number of things which were taken, as some members may recall, from the United Nations International Year of the Child. There was a convention, one of several which historically have been passed by the United Nations. Mr McClellan drew from that convention a number of rights which we should place into law here in the province of Ontario.

It was one of those wild and woolly nights. Some members here will remember evening sittings and the like. This had all the earmarks of an evening sitting in terms of the number of interventions made by the then Minister of Community and Social Services, one Mr Norton. I note that it was an afternoon sitting, as it should have been, but it had all the earmarks of the unruly evenings we used to pass here.

1620

At that point the government of the day, the Conservative government represented by Mr Norton, argued against the need for enshrining children's rights in Ontario in law under the same kind of notion that was just put forward by the last member, that in fact the things we do are enough and that they

indicate that the myth of the child as treasure is in fact a reality, a policy, as was again asserted by the last member to speak.

We also dealt with the matter again in hard terms in 1982 through 1984, in the development of the Child and Family Services Act, an act which I was very profoundly involved with during that period. We tried during that period to bring forward again the idea of placing in the Child and Family Services Act the notion of children's rights and getting them placed there very strongly, what we see as the inalienable rights of a child, understanding that they must be somewhat different from those for an adult, as I was arguing just yesterday around drinking age considerations.

There are certain kinds of inalienable rights that we should say are there for a child and not just presume to be accepted by all, because I think the argument made by the member for Riverdale is not a bad one. There is much evidence that our society does not treasure the child as much as it used to, that adult-only buildings and all sorts of structural and institutional changes are indications that in some ways children are being shunted aside, and that reflects itself sometimes in policy.

If members have recently read the Child and Family Services Act, which I am sure many will have, they will notice that we did get a number of principles accepted. But those principles did nothing much more in a major way really than to talk about the rights of the integrity of the family, the best interests of a child to be the principle that is used and a couple of specific rights about natives to run their own affairs, which was very helpful at that time. But other than that, we as opposition, along with the support of some Liberals, failed in the motion to bring in the idea of putting into the principles a statement of children's rights in the province of Ontario. I think that that is missing from our legislation. I think that is a missing link.

One wonders why it is that the United Nations, time and time again, has tried to revamp its notion of the rights of children until we come to this new convention, much expanded from the initial ones of the early 1920s, when we do not even have a mention of the rights of a child within our own provincial legislation. So I think the timing is not bad for what the member for Riverdale has initiated today in terms of discussing this idea of trying to come up with a coherent philosophy.

I would like to touch on a number of issues that I have dealt with over the years and that continue to nag at me no matter what the assurances may be from the member who spoke previously. Rightfully, each of the members who has spoken has talked about poverty as the major thing that one can point to as interfering with the rights of children in this province and that we have hundreds of thousands of kids who have been affected by being in poor families. They have been affected in many material ways—their health, their prospects for success, certainly their success in the education system—and we have to take more and more action in a concerted way to deal with that.

Again, the last member spoke about some of the initiatives, coming out of the Social Assistance Review Committee, that the government has taken. I will acknowledge those initial steps that were taken to deal with increasing the amount of money going to families on social assistance that presumably will help children in poverty, but I would say to the member that we should not continually just disguise past things which have been undertaken with present action. This year's budget increase is 5%. I do not know why there is a gratuitous attack in her statement against the federal government, which I love to attack too on a regular basis, for its incapacity to pass on more than a 5% increase to the province in terms of social assistance when that is precisely what this Treasurer has decided to do for

this year. The rest of the money, and I will admit there is a larger increase involved, was promised before this year. It is not something that was planned for this year's budget; it was already committed. I do not know that we should necessarily pat ourselves too much on the back about what we are doing to fully implement SARC at this time when, if one honestly examines the recommendations by George Thomson and others, we can say we are not exactly on schedule, to be gentle, and I will be gentle today.

Poverty and kids is a tragedy which need not be accepted in our society. The charter speaks to that, and one can think about Third World countries and how they would try to live up to this charter in terms of the rights of kids not to live in poverty. But in our country, in this province, the richest of all provinces, it is unthinkable that in fact kids are still going to bed hungry on a regular basis.

I will just say that I have done an enormous amount of work on that over the years and much more needs to be done. Leaving it just to government policy, which can be up one year and down another, depending on the vagaries of the press and other kinds of pressures within cabinet, and not saying something to do with the principle about a child in poverty being put into our laws is something which must be accepted as inadequate. We have to get this into our laws.

A sorry issue which most members may not have dealt with that much is adoption. It is a tough issue, I admit this. I would like to speak to two aspects of it.

The first is the history of adoption in this province in terms of the rights of kids, again, to some say in what takes place for those children. We changed fundamentally the involvement of the child in the Child and Family Services Act. But the presumption that allows a seven-year-old child in the case of an adoption to have some sort of say as to whether or not he likes where he is going, as is stated in the UN charter, that a child has the ability to make a decision and the right to express his opinion, is not placed in the preamble of our legislation. It strikes me as a principle that we should accept.

Now that ability to have an effect on various kinds of placements, if I can put it that way, will be different at different times. That is why, in point of fact, the Child and Family Services Act has different ages for different kinds and levels of participation with children. For instance, in terms of a long-term placement in a mental health facility the age is different from that of the seven-year-old who has a right to say something about adoption. There is some sense to that, but the principle is one which I think needs to be placed into our law.

What we did not do—and it just strikes me as offensive, if I might put it in those kinds of terms—is we did not admit in that law that the rights of a child around adoption are superseded by adults at the time the adoption is made. An agreement of privacy is still undertaken between the birth parent who gives up the child and the adoptive parent who takes the child, that they will not disclose who they are, the child's roots will not be shown and given out and that sort of thing. It is totally contrary, if you read this UN convention, to what they are talking about, a child's inalienable rights to know his roots and his connections with where he comes from.

For the whole period of his childhood he has no rights to know who he was and where he came from. Then at the age of 18 he now, under our law, has a certain right. They have the right to initiate a search, and if the adoptive parent or the birth parent, and especially now the birth parent, is not opposed to that search being done, they may be able to trace their roots.

If we had started from the principle of the right of the child to know, that inalienable right, we may not have the problem in law that I think we have now in terms of the Adoption Disclosure Statute Law Amendment Act, in terms of this confused notion of the status of birth parents, adoptive parents and the right of the child on becoming an adult.

I regret to say that, like many things, that was affected very much by the personality of the minister we had at that time. A number of members were not present during some of those battles, but the work that was done between myself and some members of the ministry behind the scenes to try to make that a rational decision, instead of the irrational decision that we had at that time, was lost because of personality. I regret that now. We had some amendments later on, by the member for Kitchener-Wilmot when he was the Minister of Community and Social Services, but again only going halfway to recognizing the rights of the child, in my view, on this principle of adoption.

The other major area of adoption that must be talked about is something, thank God, that we do not do so much any more. That is the adoption of native kids into white homes. What I would call the cultural genocide that systematically took place, with kids from our northern reserves being pulled out of their homes, brought into white families in southern Ontario and out of the country, and suffering abuse in many cases, and certainly suffering the highest rates of suicide of any group in our society, is one of the great blots on our history in terms of children's rights in Ontario.

Interjection.

1630

Mr R. F. Johnston: The member is asking if the rate is higher than on reserves. Yes, the proportion of kids who were actually taken into care and adopted who attempted or committed suicide was the highest rate of any group in society.

I will not go into the whole network of that, which was involved with this institutional framework where we had these schools off reserves where we pulled 15%, 60% of the kids off the reserves, stuck them 2,000 miles away or 1,500 miles away from their families and then, after a period of time, had them adopted into white families and never bothered systematically to follow them through. When we did and we started to understand finally in the late 1970s what had happened, it was no less than a kind of genocide.

I am glad that has changed and delighted that there are some articles here in the convention around international adoption which I think again we as a government need to think a little bit more clearly about. We did not address international adoption in the Child and Family Services Act as we should have, and that really needs to be looked at in a very, very careful way.

I have a limited amount of time because I know the member for Hamilton West will want to make some comments as well. I want to say that there are many other groups in our society that can show that we have not necessarily placed kids first. I would look at issues around education and child care, just to say that today's announcement about deaf education is again the perfect example of not accepting the principle first and then moving on to the practical, good things, some of which were announced today.

If we believe that a child who is Italian has the right to assistance through his education if he does not speak any English coming into the system, assistance with his Italian so that it will help him understand English, and we accept that

kind of principle, why is it that we then do not accept the principle that for many deaf people American sign language is their language? It is a legitimate language like any other, and deserves its place in terms of that community and the right to be instructed in it.

Before we start going on pilot projects, if we just accepted that principle and gave them that kind of confirmation and reaffirmation of their own society within our greater society, I think we would go a long way further than we did with the piecemeal kind of approach which we have again taken today, some items of which I support entirely.

The issue of the mentally ill has been raised by many members already today. I am glad to see the member for Sarnia here because he has taken this on as a cause célèbre in the last number of months, and I appreciate the work he has done on this.

I have a long-in-the-tooth view of this one as well. In the early 1980s, I used to raise the case of children's mental health centres and the difficulties kids had in a number of ways. The first was the waiting list. A government member can get up and say that everything is fine and everything is dandy with government policy and then recognize the fact that I used to complain about 2,000 kids being on a waiting list. I used to get ministers all upset with me for raising that kind of number, and now we are talking about 10,000. We are talking an enormous increase in kids needing care who are not getting it. That is the one angle.

The other angle of it was that the rights of kids in care were totally ignored. I remember Stephen Lewis's arguments around young kids being dumped into adult psychiatric institutions, being the only juvenile in a whole ward of mentally ill adults. In fact, in my own time I have actually exposed cases in this House of children in that kind of circumstance.

In the Child and Family Services Act we thought we were bringing in some changes to protect rights through the residential placement advisory committees and other kinds of systems for long-term placement of kids in those facilities. Today, we have in conflict a principle of certain rights of children to determination and say in what takes place with them in the system, as we have for adults in the mental health system, and a concept called the right to treatment that is much espoused by people who run the mental health centres.

Unfortunately that has never been argued through appropriately and the accommodation for both sides found in this, so at the moment much of the pressure that is coming from the children's mental health centres is coming from those people who run the centres, who want the right to be able to keep kids in care who may not wish to be there and whose lawyers and families perhaps—not always with the same interests involved there—are trying to argue that they do not need to be there.

One of the failings in the Child and Family Services Act, it seems to me, is we did not address a definition about the right to treatment in a fashion that weighs the right and the need for a society to be able to support a person in need of mental health services with the equal and maybe stronger right of the individual to be able to say: "No, for my part, I do not wish this. When you determine I am a danger to your society, then deal with me, but not until then." I say to you, Mr Speaker, that is still missing, and part of the backdrop to this complaint around the children's mental health centres is the conundrum that this issue has not yet been addressed.

I want to say a lot about special education and I cannot because of the time. But a government cannot say that it is totally behind the rights of children in this province when it has

not dealt with the major inadequacies in the special education bill that was passed now years and years ago and for which a public review was done four years ago and on which we still see no government action.

We are talking about a basic right of an exceptional child to an education and yet we have not changed the appeal system, we have not changed the realities of how a child is dealt with. Trying to get that kind of appropriate education in an integrated setting—maybe a better speech today would have been just to stand up and give names like Becky Till, who could not get into a public school system when her parents wanted her to be there, or a whole list of other kids who have come through my office in my 11 years who deserved and had the right, in my view, to services and are not getting them. We have not changed that act and we are sitting back quietly on it because it is not a major political issue at this time in Ontario.

I would also talk about young offenders and take on some of the public reaction which is going on around the Young Offenders Act in the country, but I do not have time to, except to say that we need desperately to accept the principle of what has been put forward in the member for Riverdale's motion, to take as an example the Child and Family Services Act and to sit down and add to the preamble a whole series of children's rights which we accept as basic principles in this province upon which all children's programs, and programs affecting children indirectly, are based.

Until we do that, I do not think we can truly say that we have changed the myth to fact of the child being the ultimate treasure of this society.

The Acting Speaker (Mr Cureatz): Continuing with the debate, the honourable member for Sarnia, former leader of the third party.

Mr Brandt: Thank you, Mr Speaker. Leader emeritus will do just fine.

I want to say to you, Mr Speaker, and to my colleagues in this House that there are many issues that of course come before us that are of importance, issues that touch us very deeply and I think in a non-partisan way, which all of us on all sides of this House would like to see either rectified or at least substantially improved.

Frankly, and I say this to the minister quite sincerely, I can think of no issue that is more important to me personally and to most members of this House than the issue we are addressing today. I have on a number of occasions had the opportunity to engage in discussion with the minister on issues relating to the whole question of children's mental health services, and he has been kind enough to respond. I appreciate those responses and I want to say, by way of prefacing my remarks, that I in no way question either the sincerity or the commitment of the minister with respect to programs to rectify some of the problems that out of necessity I am about to identify in the context of my remarks.

I know the minister is concerned about the waiting lists, as I am. I know that he has the same kind of concerns relative to not only the numbers on the waiting lists but the period of time, which runs anywhere in most instances from six months to two years, that some children have to wait prior to receiving the critical services that are necessary to address their particular problems.

But I want to say to the minister that the 10,000 cases that we are advised are presently actively waiting for some location in which to be treated in this province is a number that is frightening. The number is going up very rapidly, virtually on

an annual basis. My information, which may not be entirely accurate but I have to share it with the minister because it is the best information that my research could dig out, is that the number of cases that are waiting and are not receiving treatment have tripled over the last four or five years.

1640

That is rather frightening, I think, to all of us in this assembly, because, at the very least, we would like to see that number being reduced. We would like to see more of the children getting the kind of treatment that they require. The government may well counter by saying that the number is not exact. It may not be 10,000; it may be 8,000 or 7,000 or 5,000. Maybe the Maloney committee can give members a more accurate number when it files its report with the minister and with this House, but the reality is that there are far too many children who are on a waiting list. I think we can reach common ground and agreement on that point.

What do we do about it? One of the things that concerns me is that the United Nations, through the efforts of Stephen Lewis and many others, has brought forward a resolution protecting the rights of children, of which our country of Canada is a signatory. Fundamentally, all it says is that a child who needs mental health services, a child who is being badly treated, either by way of abuse or sexual molestation or whatever, has the same rights as an adult in our society to receive that kind of treatment.

I think that is a very reasonable and legitimate position for a society to take, either on the part of Canada or the part of Ontario. I say that because the most vulnerable citizens are our smallest citizens, the ones who really do not know where to go. They have no place to run to. They have no one to seek shelter from other than the formal institutions that have been set up to protect them, either children's aid societies or some of the children's and youth centres that we have across the province where they can receive some treatment. But these children have to go somewhere to get out of a hostile environment that is threatening their very lives.

I took the time not just to speak about this and to raise questions with the minister, but to tour facilities. I took a number of days and went with some of the directors of the agencies that are delivering these services, not with the idea of coming into this House with a great suitcase full of problems that I would dump on the minister's desk—he has enough to do without my playing that kind of a game with him—but to find out in a very real sense how serious the problem was.

I can assure the minister, as I know he is aware, that the problem is in fact a serious problem. It is a problem not just when you look at those very large numbers of thousands of children on waiting lists, but when you get into the specifics. As an example, in my own community at the Sarnia-Lambton Centre for Children and Youth, which was one of the agencies that I toured, I asked the director if he would supply me with some sample cases of children on waiting lists. I said: "I don't need a great number and I don't need names. All I want are some examples of the kind of problems that are being faced by some of these children."

I say to the minister that I received 26 serious, critical cases from that one centre alone. It has over 125 on the waiting list who are going to wait up to two years for any kind of treatment. I do not know whether the minister has seen the 26 cases. I would be delighted to share them with him. I was going to read some of them to him in today's debate, but I will not do that, in recognition of the time limitations that we have.

The fact of the matter is that the Sarnia situation can be duplicated across this province many, many times. The city of Windsor provided me with some 200 cases of situations that are much the same as the type of case that I have received in Sarnia: children aged anywhere from 2 to 15 who are waiting for services and who are not receiving adequate treatment.

What is really frightening is that even when we get services for some of these children, they are inadequate, as the study in Ottawa showed. Ottawa-Carleton did a review of some 87 cases that were wards of the children's aid society, and in the 87 cases there were nine in which situations of abuse were continuing because there was no adequate shelter for some of these children.

That is 10% of the children who are on this particular list and that is just far too high. It causes great pain and concern when you see this kind of thing happening. For the richest province in one of the richest countries in the world, it is just not acceptable that we cannot find a way to provide adequate treatment for these children.

Let me suggest to the minister that I recognize that the transfer moneys to some of the programs that are being made available across the province are in the range of the rate of inflation. I do not doubt that, and I am one who believes in control and in fiscal responsibility. There are many times I will stand up and accuse the Treasurer of spending far too much money.

But I want to say very directly that what concerns me in connection with this whole issue of children's services is that, on one hand, the government has provided a transfer of moneys approximately equal to the rate of inflation, while at the selfsame time the Treasurer has brought in an employer health tax and a pay equity program through the collective agreement of the government, and those two programs alone are taking 2%, 3% and sometimes 4% of the entire increase that the government is giving those agencies and literally wiping it out.

When you get down to the dollar reality, in other words, the spendable money that the agencies got, because the government is giving with one hand and taking with the other, the true increase I say to the minister—and I am not trying to be political when I make this point—is not 5% or 6%; it is probably closer to 3% or 4%, because the government has already extricated that 2% or 3% in terms of a quid pro quo with the tax collection system that the government has set up.

Even though I disagree with the employer health levy, at the very least I would say that these agencies should receive the money to compensate them for the employer health levy which the Treasurer is taking away from them and an increase which is at least comparable to the rate of inflation on top of that so that they can maintain the present level of services and not increase the waiting period and the numbers on the waiting list. But that is not happening.

I am frightened by the reality if we do not make some fundamental changes—and I hope they come quickly and prior to an election, if that is at all possible, and that we will find a way to at least stop the number from increasing at some 10,000 and start working. I know there are no magic elixirs that the government could bring to play against this particular problem and cure the ailments overnight. I do not expect that kind of miraculous turnaround. I am a realist.

But what I am horrified thinking about is that a year from now the 10,000 is going to be 11,000 or 12,000 and in a few years could well be 15,000, because I tell members back in 1984 it was around 3,000, and the member for Scarborough West indicates that it was around 2,000 at the period of time

when he was raising some serious questions about this issue some years ago. So the numbers have grown. I do not think there is any question of that.

The services are inadequate. We have got to find ways to provide those services. I have served in cabinet enough years to know that you have got to go in there to struggle for every dime that you are going to be able to extract from the Treasurer and you are in competition with all kinds of other programs. That reality I am aware of as well.

I can only tell the minister that I feel strongly about the employer health levy and pay equity taking a very substantial amount of money away from these agencies, putting them in a position where their waiting lists are going to expand and grow, to include more and more children. We have heard from many speakers who have spoken far more eloquently than I, about the future of this country. The children who need those services today if they are going to be saved as future productive citizens of this country and of this province have got to receive the treatment now. It just is not something you can shove aside and say, "Well, we're going to wait to fix that road," or "We're going to wait to put this bridge in," or "We're going to wait to do something." You are dealing with a human being, a vulnerable, young individual, who is reaching out and crying for help, in many instances. We, as a society, are not fulfilling their needs; we are not providing them with what they require in order to be productive human beings of the future.

1650

I appeal to the minister to make the strongest case possible with his colleagues. If any of my arguments can do him any good whatever, he may share them with his friends.

I know the problems that he has. We will always have financial problems. Governments will always have more demands than our collective resources can respond to. That is also a reality.

But let's try to entrench the rights of the child, if not in a de facto sense, at least in the sense of all of us getting together, either in support of this resolution or the previous one that I put before this House, which was very similar, and saying to the children of this province that we are going to make a commitment to see that we can reduce that waiting period, that we can reduce those lists, that we can provide those services, that we have the resources and the collective will and the determination that we are not going to let those children go without adequate treatment when that is necessary.

I appeal to the minister. I know he is a man of good judgement. I know that I respect the minister on the basis of the sincerity that he has demonstrated in this House. I do not question that one bit. But I appeal to him to use his most persuasive powers to appeal to his cabinet colleagues to find some way to make more financial room for a badly needed program to serve the children and the future of this province.

Mr Elliot: At the outset, I would like to compliment the member for Riverdale on his resolution. The government welcomes this opportunity to tell the House how we have been meeting and how we will continue to meet our obligations to the welfare of Ontario's children.

First, let me say that we wholeheartedly support the fact that Canada is becoming a signatory to the United Nations Convention on the Rights of the Child. In addressing the resolution before the House today, I refer members to article 3, subsection 1, which states:

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, ad-

ministrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

It is the appropriate balance between the rights of the child and his or her best interests that this government is constantly seeking to achieve.

As a solid foundation for this important objective, we are fortunate to have the Child and Family Services Act, which was proclaimed in 1985. This act, widely recognized as one of the most progressive pieces of legislation in Canada, clearly codifies the rights of children and of families. In addition, it establishes rigorous reporting requirements when a suspicion exists that those rights have been violated. In short, it is a piece of legislation of which all members of this House can be proud.

But as society becomes more complex, so does the problem of ensuring the overall wellbeing of our children. The situations confronting them today are so interrelated and subject to so many different influences that they can only be understood with great difficulty.

That is why this government has launched a range of initiatives and review aimed at ensuring we have the solutions and support programs our children need as the 1990s unfold.

At the heart of these activities is prevention, the capability to identify children at risk and to intervene on their behalf before the problems occur. Such preventive action can only take place where the child lives, plays and studies, so, to be truly effective, we need to support the environments of the home, child care centres, schools, playgrounds and neighbourhoods.

This intervention requires considerable sensitivity. We must be careful not to contravene the rights of one individual in order to protect the rights of another. Considerable work is required to develop models of prevention which can be broadly applied throughout the province.

In this regard, we are establishing the Better Beginnings, Better Futures project, a long-term research demonstration project to support children and families living in economically disadvantaged communities. The Better Beginnings, Better Futures project is a collaborative project involving the ministries of Community and Social Services, Health, Education, and most recently, the federal Department of Indian Affairs and Northern Development.

The intent is to bring together parents, community leaders, service providers and educators around the common goals of preventing problems, promoting healthy child development and enhancing communities. In four to six economically disadvantaged communities where children are at the highest risk, these educators, public health workers and child care providers will work closely with parents and local leaders to address the specific requirements for healthy child development in each community, and so that these projects will enable us to provide better solutions right across Ontario, we will be conducting an ongoing 25-year study of the children, their families and the communities.

In the short term, we expect to see positive benefits such as improved physical and mental development, and in the long term, benefits such as the reduction in school dropout rates, less juvenile crime and safer communities.

As such, the participation of the Department of Indian Affairs and Northern Development is particularly appropriate, for as the preamble to the United Nations convention states, we must take due account "of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child."

Native communities, francophone communities and a number of groups representing other cultures are developing

proposals to become part of the Better Beginnings research exercise. It is our hope that this participation will build on the attention we have paid to the importance of cultural heritage in the past.

Since proclamation of the Child and Family Services Act, three child and family services agencies operated entirely by native people have been established, and the Ministry of Community and Social Services continues to work with native communities to establish additional agencies.

In general, funding to children's aid societies has grown 37%, after inflation, since 1985. Children's aid societies are of course on the front lines when it comes to child welfare in Ontario, and on the front lines nothing is more important to this government and the people of Ontario than the prevention of child abuse.

Earlier this year, serious allegations were raised regarding physical, sexual and emotional abuse of children in Ontario training schools during the early 1960s. In response, the government intensified the police investigation and ensured that support and counselling were readily available to anyone coming forward in regard to this serious matter. Above all, we recognized that steps had to be taken to ensure that this government had all the system safeguards in place to protect the rights of children and to guarantee their safety.

To this end, the Minister of Community and Social Services responded quickly by establishing a review process chaired by Joanne Campbell, the chairperson of the Social Assistance Review Board. She has a mandate to determine the effectiveness and adequacy of existing safeguards in residential facilities, to ensure that if allegations of abuse arise the systems are in place to deal with these complaints in a responsive and effective manner and to provide recommendations for improvements where necessary.

This government and governments before it have worked hard to ensure that our children and youth are better protected against abuse and assault. The roles and responsibilities of children's aid societies and police authorities in responding to allegations of abuse are clearly established in legislation. This government subscribes wholeheartedly to sections 19 and 34 of the UN convention dealing with this matter, but we cannot be complacent, so in addition to the Campbell review, a number of initiatives are proceeding in this all-important area of child welfare.

The Ministry of Community and Social Services has recently completed an extensive survey of all child abuse programs in the province as the basis for strengthening such services and introducing greater co-ordination.

1700

We are strengthening our services in the child abuse area in order to provide better protection. For example, we are revising the standards and guidelines for investigating and managing child abuse cases; we are upgrading the criteria for registration; we are continuing to expand our training programs for all those involved in the investigation of child abuse; and we are introducing administrative and procedural changes to increase the effectiveness of the child abuse register.

We continue to fund the Institute for the Prevention of Child Abuse with \$3 million annually and have been encouraged recently by the extent of increased private sector participation. Most notably, the Ontario Home Builders' Association has entered into a partnership with the institute to conduct a major fund-raising campaign. Such partnerships are

essential, because child abuse will only be completely eliminated when all of society takes full responsibility.

That is why the government initiated in 1987 a three-year, \$25-million expansion of the child treatment, child and family intervention and prevention services, with the primary focus again on prevention. That is why in 1988 the Ministry of Community and Social Services established a Child, Youth and Family Policy Research Centre, Canada's first policy research institute active in this area, which is multidisciplinary, community-based and devoted to applied research in an area of public policy. That is why the government commissioned a report from the advisory committee on children's services, chaired by Dr Colin Maloney, executive director of the Catholic Children Aid's Society of Metropolitan Toronto, to advise on new strategic directions for our children's policies.

As our base of knowledge grows about how to best ensure an effective system which safeguards the rights of the child and as we strengthen our partnerships with others active in this area, we become even better positioned to ensure that increased government expenditures on programs and services really do the job for which they are intended.

Indeed, since 1985, this government has increased expenditures on children's services by 57% in real after-inflation dollars. We are committed to the belief that long-term change will come about through focusing significant efforts on health promotion, prevention and early intervention to ensure the emotional and physical wellbeing of our children.

In keeping with this belief, we have also been active in other areas. We subscribe fully to article 3, subsection 3, of the UN convention, which states,

"Governments shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff as well as competent supervision."

To this end, we have increased salaries in our children's mental health centres and children and youth institutions to ensure they meet professional levels, thereby enhancing capability and reducing staff turnover. We have allocated an additional \$8 million to Ontario's foster care system in order to improve the rates paid to foster parents, enhance support for the foster care system and fund a variety of training and demonstration projects. We have raised direct operating grants to licensed child care programs in order to improve staff salaries and benefits. Safety and security have been increased in our programs for young offenders and we are assisting Ontario's francophone population in designated areas to initiate French-language child care programs through a \$600,000 community development project. The latter is in keeping with article 30 of the UN convention, which supports every child's right to his or her own language and culture.

This government intends to strengthen the rights of children in every area under its jurisdiction. It intends to strengthen those rights in ways and means that truly represent the child's, the family's and society's best interests. As such, we are undertaking an extensive review of the Day Nurseries Act, with an aim to developing new and comprehensive child care legislation.

We remain committed to the management and continued development of a stable, high-calibre child care system throughout Ontario. In fact, almost all legislation pertaining to child welfare is being studied as to how we can best benefit our children in the times ahead. Let me assure the House that this government will continue to move consistently forward with

legislation, programs and services, in keeping with the welfare of our children as the top priority.

Prevention will be our focus. Realizing each child's true potential will be our guide. I urge all members to support this resolution, as it allows us to highlight and isolate today many initiatives already put in place by this government.

Mr Allen: It is an honour for me to be participating in this debate this afternoon on the implications for Ontario of adopting, as I indeed hope it will, the United Nations Convention on the Rights of the Child.

This convention says, among other things, that those states that are party to this agreement will "recognize that every child has an inherent right to life and that the parties shall ensure," and I emphasize these words, "to the maximum extent possible, the survival and development of the child"—not to the minimum, not to some middle factor, but to the maximum extent possible. These terms have to be spelled out in terms of, for example, "standard of living adequate to the child's physical, mental, spiritual, moral and social development," which is a very comprehensive statement. Finally, with reference to the national conditions of the states in question and their means to give effect to this, they "shall assist all parents and others responsible for the child to implement this right and in particular with respect to such basic matters as nutrition, clothing and housing."

That does not leave much room for fudging or restraint or equivocation when it comes to matters of the right of the child and what that means in terms of specifics. I think we need to remind ourselves in the first instance of just what we are talking about in terms of poor children in Ontario, because from my point of view and from my understanding of the things that I have been reading on this subject, the root problem, the major problem that is central to all the rest of the difficulties that children have in our society is, in particular, the problem of poverty.

It becomes evident. When I was down at a discussion of poverty and the Social Assistance Review Committee report and so on at Dixon Hall in this city, there was a panel presenting and a newspaper reporter said, "Well, you know, perhaps you'd get further with this case if there were children dying in the streets." Well, I had to comment—I was not a member of the panel—at that time that there are children dying, literally, in the streets, in our homes, in our schools, in our communities as a consequence of poverty. Let me just give members a quick synopsis of that as I included it in a brief summary that I included in a report of my own on this subject.

Poor kids in the lowest income group aged 1 to 14 are twice as likely to die from some cause as those in the higher income groups. The same group has five times the odds against it that it will be in a motor vehicle accident. They are three and a half times more likely to drown. From 15 to 19, the suicide rate is twice as high in the lowest income group. They are three and a half times more likely to be killed at somebody else's hand.

1710

Those are the direct consequences of poverty for stunning numbers of poor kids. It is not the fate of those in higher income groups.

That is not the end of the story, because if one looks at illness and disease, one finds once more the pattern is repeated. The leukaemia studies show that children aged 1 to 14 in the poorest income category are not only twice as likely to get cancer, they are twice as likely to die from it.

In terms of respiratory illnesses, especially pneumonia, they are twice as likely to kill a poor boy and, interestingly enough, and I am not sure of the reasons for this, six times as likely to kill a poor girl. Poor children also suffer more frequently from all sorts of more usual conditions like anaemia, tooth decay, chronic ear infections, you name it, but also mental retardation, learning disabilities, poor school performance and ill health and disability in general.

Those children who are poor and also grow up in welfare families have a stunning level of behavioural and psychiatric difficulties, namely, a 40% rate of psychiatric disorder for the boys and a 27.8% rate of poor school performance for the girls. Those children are more likely to drop out of school early, end up in deadend jobs and perpetuate the cycle.

It would seem that there is more than just the rights of the kids at stake. There is the whole question of the huge investment that we make in the whole remedial process later on, ranging from health remediation and diagnosis and treatment through to correctional institutions, educational institutions, the investment in programs to correct learning disabilities and problems, as well as all those specific programs that deal with children who have disabilities of one kind or another or are developmentally handicapped as a result of the impact of poverty factors upon their earliest years.

When one reminds oneself of that, one then begins to look at some of the services that relate thereto. When one looks, for example, at food banks—we had a survey of food banks recently in this Legislature—it is evident that in this city alone, 72,000 children 17 years old and under patronize food banks each year. Some 110,000 live in poverty in Metro, so it is not surprising that this is the case. Some 50% of the households with children report having gone without food for a day or more, and the impact that would have on children.

When one looks at the services for disabled children, for example, special services at home obviously again relate disproportionately to poor children since poor children turn up in larger numbers in this category than do other children. These children have faced serious cutbacks in the services provided to them over the last year in children's mental health services, and again I refer to the psychiatric problems of children on welfare. So poor children are disproportionately affected with the problems that afflict the children's mental health services with 10,000 children on the waiting lists.

When it comes to the services provided, the wage levels in the community services that deal with these children and their parents do not protect those services from revolving-door employment and the problems of great turnover and therefore of treatment.

When one looks at the problems in foster care and in the alternative institutions to foster care for children at risk, again one has a similar problem in the service area. One can go step by step through the agencies and discover that the lack of resources in those areas disproportionately affects poor children.

Finally, there has been on this continent a right-wing agenda that Stephen Lewis has referred to recently and that has militated against the address of this problem both nationally and, in some measure I would say, even provincially, although this government affects to have a somewhat different orientation with respect to the question of social assistance.

While I do not have more time at my disposal, it does seem to me that it is urgent that we address this issue on an across-the-spectrum basis and in a state of high emergency and devote substantially more resources than we do in order to complete

what we have begun in this province, which is to provide children with the kind of supports they need for healthy and full development and for a happy and wholesome future existence.

Mr Jackson: I am pleased to be able to participate in today's debate and to contribute to the discussion in this House on an opposition day where we are discussing Canada as a signatory to the United Nations Convention on the Rights of the Child. Clearly, although Ontario cannot necessarily take credit for providing leadership in this area, it certainly can show its willingness to address some of the major issues which have been called into question by the clear responsibility of our nation's signing this declaration. I do not consider this a paper exercise. I take the matters of this document very seriously and therefore I would hope that in my comments today we can address some of the issues on which the children in this province require having their voice heard.

I guess it has been said by many of the speakers—some have called it a presumption—that children are our most precious resource. Some have called it a myth. I am not going to entertain that debate but simply suggest that a society will ultimately be measured by the compassion it exhibits for its most vulnerable citizens, and clearly in our great province the two that immediately come to mind are children and our frail elderly.

To put in context the importance of this debate, we have heard from the government, which speaks at length about its pilot projects and some of its initiatives, and we have heard from the opposition parties with specific cases of its concern that Ontario has a far way to go in terms of ensuring that children have the same kinds of opportunities, not only in a Third World country but right here in Ontario, given the kinds of circumstances which we as legislators have left them to.

I want to suggest as well that children are a particularly vulnerable group within our society because they lack the empowerment to really influence decision-makers at Queen's Park, or at the federal level for that matter, and part of that has to do with the fact that they are not voters. We know how voter-reactionary we are as politicians. We do not see children showing up in polling data. We always see that among 18- to 21-year-olds the approval rating for this government is a certain per cent. We do not empower our children to make choices, we do not empower them with the right to vote, and although I am not advocating that they have the right to vote, I am suggesting that this has caused their agenda, their personal rights and freedoms, to be less than those of the average Canadian and the average Ontarian.

For me as a politician here in this House for now over five years, for me as a parent, that these matters have taken on greater significance. I take them on, as I say, as a parent but also as a provincial member who has come to understand and appreciate, as comes with the responsibility in government, the real needs that exist in a community.

In the short time that I have allotted to me, I wish to go over some of the issues, a broad range of issues in fact, where I believe there is room for considerable improvement, where there are legitimate crises affecting our children and their future chances of success and life itself. This government must commit itself to making this a priority and risk the fact that children are not a voting block in this province and risk the fact that it may not necessarily be popular, but risk it because it is compassionate, because it is necessary and because it deals with our future and not with the immediate political present.

1720

The matter of mental health services is one that has been raised by the opposition members. We have been raising it for the last several weeks. Our party has had a resolution on it. I have been distressed recently to see the lack of awareness, the lack of participation on the part of the Minister of Education where we are seeing some of the worst manifestations of problems for our children in this province, coping with a variety of dysfunctions, of addictions, of mental disorders.

It is mandatory for these children to be in our schools, but it is not mandatory that these children be helped. We mandate the custodial function of making sure that we know where they are between the hours of 9 and 3:30 every day, but we cannot mandate and put in laws access to psychiatric services, to put in laws an opportunity to withdraw them from abusive situations and provide the necessary support on a continuum basis. We have a range of problems that these children are focusing. It has been well documented in this House about the 10,000 children on waiting lists for mental health support services. Those 10,000 children are mandatorily required to be in school every day and they are not learning properly, are not learning to their ability. They are not even offered the promise that our Education Act promises children in this province, that we will set certain standards for their achievement.

We have case after case of a growing incidence of suicide in our schools, of successful suicides and attempted suicides. We have a growing number of problems associated with victims of family violence and their inability to cope and function.

I am pleased the Minister of Community and Social Services is with us in the House today. He would be aware of a case I have raised in this House before of a family that I am currently working with, where the mother and the daughter were both victims of incest from the grandfather and the father. The mother was receiving, after waiting a considerable time for counselling support services, psychiatric support services—she waited a considerable length of time. The teenaged daughter, who is failing in school, who has an inability to socialize, who has become introverted and is withdrawing from society, attempted suicide twice. Yet the mother is forced into making the kinds of decisions to withdraw herself from her psychiatric supports in order to get her daughter into a situation where she can receive professional help, because the earliest she is told she will be given help is a year to a year and a half.

That is unacceptable in Ontario today. Since I raised that issue, there have been several suicides in the Halton area of teenage, school age children who are reaching out for support. Yet our government is studying this issue without even looking at the size of these waiting lists and the kinds of programs with which we can address that crisis immediately.

I want to suggest that this government's record on justice for children is highly suspect and I would like to illustrate this with several cases. I raised one today in the Legislature with the Minister without Portfolio responsible for women's issues. I raised the issue of Bill 124, which is a law this provincial government brought in from California. It is sort of akin to its no-fault divorce legislation. Basically it says that a child's rights in Ontario are best served when both parents have access to a child when there is a marital breakdown, a separation or a divorce. That argument has been widely discredited all across this continent. There is no greater proof of this than that not a single women's group in this province endorsed the Attorney General's and this government's thrust as it relates to Bill 124.

What I raised in the House today was a reference to the fact that because there are children who are victims of violence, of

sexual abuse, that they are in these situations—when there is a marital breakdown our law says that it is in the best interests of the child that he have access to both the custodial and non-custodial parent. Yet we know that it is not in the best interests of the child. So what does the government say? "All right. We will make a compromise here. We will make sure that this access between a parent who may have abused a child or abused the other partner in the presence of the child—we will provide supervised access." No, I am sorry. The bill does not say they will provide it. The bill says that the judge can so order that supervised access occur.

The fact is that with this bill now law, judges are increasingly referring cases not only where there are bona fide cases of abuse, but where there is real risk that the non-custodial parent will abduct the child and take him or her out of the province, and also where there are cases of an accusation of abuse but it is not necessarily proven. When the mother leaves court now with this new order that she must offer up the child to the former partner who was an abusive parent, there are no programs in place. In fact today we raised the issue that this government has not provided the funding when legitimate programs have come forward seeking support. Women's groups across this province have clearly articulated the fact that this type of legislation is not in the best interests of children at all.

I would like to raise an issue about the Limitations Amendment Act, Bill 198, which this government has seen fit to allow to die on the order paper. Again this has to do with the case of children who are the victims of incest. It has been 97 years since we have changed the Limitations Act for children. Currently the act says that they have four years in which to take to court and charge a family member who has sexually assaulted them.

The member for Kitchener, to his credit, developed Bill 198, which would have extended the statute of limitations to 20 years and also for 10 years after the discovery of this event, purely a piece of legislation designed to recognize what children go through as victims of incest in this province, yet now we find out that the Attorney General has suppressed this bill. He has informed the member that he has no intention of making it the law after all the groups and all members of this House agreed that this was a timely, appropriate, sensitive and important bill for children who are overcoming the horrors of being incest victims. That is the Attorney General's commitment to the children of this province. It is very clear where the Attorney General is coming from in this, as that example illustrates.

If I had time I wanted to talk a bit about transition and interval houses and the fact that this government does not recognize that when a mother and her children remove themselves from an abusive situation, when women or children are being battered, and they go to an interval house the government's position is that it is merely a custodial function for the child. In that setting, with the mother present, withdrawn from the family home, they need support services and counselling. The children are just as important as the mother to receive those support services that she gets as the mother, but that the child does not necessarily get.

I think it is important that we must recognize that because they cannot articulate their pain as well as the mother can, they are no less deserving of the support of this government in order to address their psychological needs. They have no chance in school in an environment where no one is providing the counselling support for what they are going through.

I have raised issues about neonatal intensive care funding in this province and the crisis facing our level 3 nurseries for premature, high-risk infants. We have proven through a study at McMaster University that we can reduce the number of children by half who experience neurological and physiological damage if we provide the immediate support services for these high-risk pregnancies and premature babies.

Yet this government has forced hospitals to cut back services. There are beds vacant at each of the seven high-intensive emergency hospitals in this province. There are beds vacant and there are doctors on the floor, but because we will not put this nursing staff in place and they are cut back, we have had cases where children have been put at risk and we know what the risk is—it is either death or it is neurological or physiological damage. To what extent, as this resolution calls for, are we doing all in our power to enhance their life chances?

1730

I have risen in the House to talk about vaccine-damaged children and the degree to which we in Ontario have a commitment to the children of this province to find the safest possible vaccines, in particular the pertussis vaccine. The standard for our vaccine is the same standard as for some Third World countries, yet we do not have the political will, based on global information, to enhance the life chances and limit the amount of damage from vaccines in this province.

I realize that we are running out of time. I wanted to highlight some of the issues that I believe have quite clearly shown that this government has its own set of priorities and that children are not near the top of those priorities. I would hope and pray that all members of this House will support this resolution and that they, as a government, will react with meaningful programs to support the true intent of this resolution.

Hon Mr Beer: I rise with pleasure to participate in this debate and to commend our colleague the member for Riverdale for the motion. I think it enables us to focus this afternoon very specifically on children, the kinds of programs and policies that we have in place, the good things that we are doing, but also and importantly, those things that remain to be done.

I would like also to commend all of those who have spoken in this debate. I think that one of the good and positive things about this particular debate has been the sincerity of all those who have taken part, but in particular the number of points and issues that members have been asking us, as a government, to deal with. I would like later in the debate to comment on some of those. Clearly all members of this House support the motion and I think we can all come together in trying to ensure that we live up to the United Nations Convention on the Rights of the Child.

In beginning, I would like to bring to the attention of the House a booklet that has been prepared by Defence for Children International called *Children Have Rights Too*. I believe this is a remarkably excellent book, a primer, if you like, with respect to the United Nations Convention on the Rights of the Child, prepared in Canada. It includes in addition to the actual wording of the convention drawings done by children from around the world and short, clear statements of what the convention means.

For anyone who has been watching this debate and would like to know more about the United Nations convention, if you go to your bookstore or get in touch with any of us in this chamber, *Children Have Rights Too* is an excellent primer in terms of just what it is that the United Nations convention is

asking all governments to do, setting it out in an extremely readable fashion.

The other point I would want to make at the outset is that when we get talking in this House, or indeed in any assembly, about the kinds of things that we are trying to do to help people develop programs, as the honourable member for Scarborough West said at one point, we sometimes get into, "Here's where the faults are, the things that aren't being done," and from the government side hear all the good things we are doing. Really, in this area I think we all have to admit that collectively we have done some very good things over the past 20 or 30 years to ensure that children are protected and that they have rights and that they are able to develop to the best of their potential. But we recognize as well that we are going to have to deal with problems, problems that change—the context of the discussion and the kinds of dilemmas that we have to face in providing services for children.

When I came into the Ministry of Community and Social Services as minister one of the things that struck me in a most forceful way was to look at, in effect, the amount of money that is expended in one form or another to try to assist children, to look at a number of programs and policies that set out to help and then to juxtapose that with the continuing need that was being made very clear to us.

In my own ministry something in the order of \$1 billion is spent on programs that are directly focused on children, and that does not include the funding that comes through the social assistance system. If we talk about the education system, if we talk about programs in the Ministry of Health, the Ministry of Correctional Services and other areas, we soon see that we are spending a great deal of money and doing some very good things, but recognizing as well that much more needs to be done. I want to come back later to the question of the system that we have in place and that perhaps the problem is not purely one of funding—and I do not think anyone is saying it is that alone—but how well we organize the dollars that we have in terms of really helping the children of this province.

The other thing I think is important as we discuss this issue is to remember that we are talking about human beings. We can talk about any group—children, seniors, the disabled—and we can talk about them as statistics, but I think when we do that we lose our sense of what it is that we are really talking about. We need, I think, to remind ourselves, whether it is as parents, which many of us in this chamber are, and we think of our hopes and aspirations for our own children and then apply that to others in our community who have those same desires, those same hopes and aspirations for their children, I think we need to come back to that fact as we look at the things that we are doing and the things that we ought to do.

We also need, I believe, to remind ourselves that in this province over the years we have built up an incredible array of voluntary, community, social, public organizations with staffs of truly dedicated people. I do not think anyone who has spent any time in this Legislature, who has spent time working in his or her own community, has not seen examples of individuals who have made, in effect, a life's commitment to work on behalf of children. I think it is appropriate in addressing this particular issue that we pay tribute to them because while we clearly have a responsibility to the children of this province, we also have a responsibility to those thousands of people who are working throughout this province in order to ensure that our children and their children will have a better life.

A number of specific issues were brought forward by honourable members in terms of the broad children's services

sector or children's services program area. I want to deal with some.

I want to start with the very interesting point made by our friend and colleague the member for Scarborough West who was talking about the United Nations convention and the Child and Family Services Act in terms of underlying principles and what is it that we want to set out in terms of principles, rights, entitlements in that legislation so that we can see what it is we are trying to achieve, what it is that we want to ensure we can do. Increasingly, I think legislators not just in this House but in others are looking at ways in which to express those principles in legislative form. I think in moving forward and supporting the United Nations convention, in effect ratifying it, we will then have a set of principles and rights against which we are going to want to measure our programs.

1740

Honourable members would be interested to know that in the work of the Advisory Committee on New Social Assistance Legislation that I set up we are looking at some of those specific issues around principles in terms of looking at what we want to have in the legislation, what are the benchmarks we want to try to achieve as we go forward in providing for a more effective social assistance system.

My colleague the member for Hamilton West noted that when we start talking about children and children's issues probably one of the most fundamental areas that we have to deal with is that of child poverty, because countless studies, and I suppose even just our own anecdotal experience, would demonstrate that if you are in poverty as a child, the likelihood of becoming ill, of having a poorer education, of suffering from a whole series of negative effects is so far greater than for those of us who have had the opportunity to grow up in a family that had greater means of support. So as we look at the United Nations Convention, I think an appropriate place to begin in looking at our programs is to ask, how are we going about trying, in whatever ways we can, to improve the life of the child who, through no fault of her own, is living in poverty?

My colleagues have made reference to a number of the programs, and I do not want to go back over them, except to underline what for us is the critical importance of the Social Assistance Review report, the Thomson report, and the recommendations made in that report that dealt with the whole area of poverty, those on social assistance, and how much of that was directed at children and that there is, if you like, a blueprint in front of us as a government to go forward with those programs. I think we have made a very solid beginning with the \$415-million program that was announced last year, much of which, as it has come into play this year, deals directly with helping children. We are able to see where we have been able to put these programs into effect, that it is having an impact on the use of food banks in terms of social assistance recipients. By no means has it solved the problem, but I think what is important for us to recognize in this whole field of child poverty is that there are things that we can do which can have a very positive impact in helping children.

The example I think that I would use in this case is the attack that governments made back in the early 1970s to address the problem facing seniors and poverty and how, by looking at rates and entitlements, we were in fact able to lift many seniors right out of poverty levels. That has to remain a commitment and we have to do much more.

The issue of natives was raised. I think here again some of the experiences that members set out and some that I have had

myself underline how important was a decision the government made several years ago to work with native people to organize their own child services sector. I have been extremely impressed to see, with a number of the ones that now exist, the Wechitowin, Tiknawgan, Hoyekatano in the north, the impact that they have been able to make, because these programs are developed by native people for native people. Particularly with respect to children, that can have a tremendous impact because culturally the programs they are going forward with will be able to help their own people. I think this government has made a commitment to the first nations that we are going to continue to do that. I was very pleased that in this year's budget we have been able to allocate some \$14 million additional that will be directed precisely to helping those organizations and creating new ones.

The other area that has been discussed at some length today is that of children's mental health. There is no question that the complexity and the range of difficulties which young people face today have caused, in effect, a great increase in need for all kinds of counselling and support for children. We have, I think, been able to move very effectively in providing greater resources across the board in the children's services sector, but we have to recognize that there are some problems which, in a sense, are systemic. Therefore, we have committed to the children's mental health centres, to their provincial organization, to work very closely with them on a number of specific issues, including that of waiting lists, which was dealt with by our colleague the member for Sarnia.

On this issue, as our colleague said, whether we have a waiting list of 10,000, 6,000, 500, 1 or 2 clearly is not something that is acceptable. We want to have no waiting list. We want to see that all children are going to be effectively cared for. One of the issues, I think, as we look at waiting lists—and we are doing that directly with the children's mental health centres—is to determine more specifically the nature of the needs among the young people who are on those waiting lists and the extent to which there are perhaps other resources in the community which would be able to provide the kind of support that is required. I think we have all recognized and agreed in the meetings that we have had—and as recently as this week I and caucus colleagues met with representatives from the Ontario Association of Children's Mental Health Centres—that we have to get a handle on that so that we can in fact ensure the resources that are required to meet whatever those needs are.

We have also recognized that there are problems with respect to compensation for those working not only in the children's mental health area but throughout the children's service sector. Many organizations have grown up, perhaps in some respects as quasi-voluntary organizations. We have had to recognize over time, and particularly through the 1980s, that we have got to do much more in looking after those who are working in those fields, because we want them to stay there to be able to make a commitment to a career, to continue to work with young people. We have said to the children's mental health centres and to others that we are going to continue to do the kind of thing that we did both this year and last year in announcing additional funds, specifically for better compensation for those working in this field.

I think that we recognize that, whether we are talking with children's aid societies, children's mental health or those active in the young offenders network, we have to do this as a partnership. These issues are not ones that can necessarily be resolved overnight and there is a need for us to work very closely together. I want to make the commitment to our colleagues, to

those in the opposition as well as on the government side, that both I and my ministry are very active in going out into the community and working with all of those who are working directly with children to ensure that we can put forward plans, policies, programs and the appropriate resources and funding to make a real dent in a number of the issues that have arisen over the past couple of years in terms of child counselling, whether in the mental health area or in terms of child welfare. That remains a critical approach that we have to take.

I think that at this point then, when we look at a number of the issues, we have to begin coming to grips with what do we do with the system. Clearly we cannot move to one in which for every child at risk there is an adult there to help that individual. We have to find various ways, obviously prevention being critical. A number of the preventive programs have been mentioned, but we recognize that out there today are many young people at risk. If we are to meet the convention standards, how do we help them?

It seems to me that we have something to learn from the approach that was taken to long-term care, where we have to focus in particular on who it is we are trying to serve. I suppose here it means that if we are saying it is the children of this province we want to help, then we can recognize that there are a number of systems that we have got to change so that they are serving the child and we are not making the child fit our programs and our services. Here I think the Ministry of Education, the Ministry of Health, the Ministry of Correctional Services, the Ministry of Tourism and Recreation and my own have a particular role to play. Increasingly we have to be making to our approach so that in fact the children's needs can be met and served.

A year and a half to two years ago, a number of us in this House served on the select committee on education, and one of the things that struck me, as a member of that committee, was the fact that we recognized in dealing with children that the one place where we find them all, at least at some point in their lives, is in school. So how do we work better with teachers, principals, those in the educational system, those in the social work field, those in the health care field, to ensure that resources are there when required?

1750

A number of members have noted increasing problems faced by the school boards, by schools, with respect to finding appropriate support for children. I have had similar experiences in discussions with my own school boards and with teachers and those active in the school system. I think what that experience demonstrates clearly—and it is one of the reasons behind the Better Beginnings, Better Futures projects—is that we are only going to solve these problems and be able to move forward and cut back on waiting lists when we have the active and full co-operation of all of these ministries and that we see that duplicated, if you like, at the community level.

My sense is that as we proceed in this regard, the role of the school—and I speak here of the school as a centre, not talking about adding tasks to individual teachers or principals, because I think in point of fact they carry already a very heavy load of things they must do. How do we integrate? I think this is the term for the 1990s. It is going to have to be the key. How do we integrate all of the different ministerial programs so that when the child needs help, the classroom teacher, the principal of the school will be able to know quickly and clearly where to direct that child, where to direct that child's family so that those ser-

vices will not only be put in place, but will be there so that the child will be able to reap the benefit of them?

Clearly at the present time we know that there are young people who are falling between stools, who are perhaps getting the attention they need but perhaps not as quickly or as effectively as they can. I think that the challenge for us as a government is to look at the system that exists right now and to see how we can make changes to it that will better serve the child and will make better use of the funds we have available.

I think it was that sense, that thrust which led my predecessor to appoint the Advisory Committee on Children's Services, which was mentioned earlier by one of my colleagues and which is chaired by Dr Colin Maloney. Dr Maloney's committee has looked very specifically at all of the elements of the children's services sector, with a particular focus to see how that is serving the needs of children and how we can develop a framework which is going to make better use of all of those services.

I feel very confident that when the report of that committee comes forward, it is going to provide us with, if you like, an integrated approach to the provision of children's services so that when we start developing new programs and expanding existing ones, they will be able to have a real impact.

Whether we are talking about programs such as special services at home which, I recognize, in terms of our ministry is one of the most important programs of helping young people with disabilities, developmentally handicapped or physically disabled, or whether we are looking at programs that will lead to more effective counselling—which children perhaps need treatment, which ones do not need that kind of approach and could receive care in other ways—these are all questions that we have to address. But we have to do it in the context that the whole system is seen as one, that it is child focused. If we do that, I think we will be able then to take each of the rights that is set out in the United Nations convention and respond effectively and adequately to it.

It has been mentioned that in a number of areas set out in the convention our programs and policies at this point in time might not necessarily meet the rigours of that convention. It is my view that while we recognize problems that are existing in the system, none the less it is important to stress that in Ontario we do have a very strong children's services sector, both because of the people who are active within it and quite frankly because a number of governments over the years have seen that to be very important. I think the kind of support that has been exhibited today for the member for Riverdale's motion indicates that it is a priority, that it is something we see as critical and important.

What I, as Minister of Community and Social Services, would want to take from today is that there is a clear commitment within this House among all parties to ensure that we live up to the standards set out in the United Nations Convention on the Rights of the Child. I hope that all honourable members will hold us to that and that we will continue to look at the principles that are enshrined in that document and measure our programs and policies against them. I think when we do that we will be able to ensure that the children of this province will receive better and more effective assistance when they require it.

Motion agreed to.

The House adjourned at 1757.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexender, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
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CONTENTS

Wednesday 13 June 1990

Members' statements

Automotive industry	1727
Mr Kormos	
SkyDome	1727
Mr McLean	
Sir Sandford Fleming College	1727
Mr Adams	
Constitutional accord	1727
Mr Wildman	
Education policy	1728
Mr Jackson	
Festivals in Cornwall	1728
Mr Cleary	
National Access Awareness Week	1728
Mr Kormos	
Forest access roads	1728
Mr Pollock	
Carabram	1728
Mr Callahan	

Statement by the ministry

Education of hearing-impaired	1729
Mr Conway	

Responses

Education of hearing-impaired	1730
Mr R. F. Johnston	
Mr Jackson	

Oral questions

Children's services	1731
Mr B. Rae	
Mr Beer	
Patricia Starr	1732
Mr Kormos	
Mr Peterson	
Constitutional accord	1732
Mr Eves	
Mr Peterson	
Members' travel	1733
Mr Runciman	
Mr Kwinter	
Mr Mackenzie	
Mr Peterson	
Custody and access	1734
Mr Jackson	
Mrs Wilson	
Social assistance	1735
Mr D. R. Cooke	
Mr R. F. Nixon	

Abortion	1735
Mr R. F. Johnston	
Mr Peterson	
Patricia Starr	1736
Mr Cousens	
Mr Peterson	
Occupational health and safety	1736
Mr Owen	
Mr Phillips	
Plant closures	1736
Mr Mackenzie	
Mr Phillips	
Home renewal program for disabled persons	1737
Mrs Marland	
Mr Sweeney	
International trade	1737
Mr Tatham	
Mr Ramsay	
Egg producers	1738
Mr Wildman	
Mr Ramsay	
Alcohol and drug treatment	1738
Mr Pollock	
Mrs Caplan	
Long-term care	1738
Mr Elliot	
Mr Beer	

Motion

Deeming as a sessional day	1739
Mr Ward	
Agreed to	1739

Petitions

Education funding	1739
Mr Wildman	
Public sector negotiations	1739
Mr Runciman	
Prince Edward Heights	1739
Mr Runciman	
Workers' Compensation Board	1739
Mr Morin-Strom	
Academic curriculum	1739
Miss Roberts	
Education funding	1739
Mr Allen	

Report by committee

Standing committee on regulations and private bills	1740
Mr Tatham	
Agreed to	1740

First readings**Environmental Protection Statute Law Amendment**

Act, 1990, Bill 220 1740

Mr Bradley

Agreed to 1740

Township of Front of Leeds and Lansdowne Act,

1990, Bill Pr68 1740

Mr Runciman

Agreed to 1740

Opposition day**Children's services** 1740

Mr Reville 1740

Mrs Cunningham 1742

Mrs LeBourdais 1745

Mr R. F. Johnston 1746

Mr Brandt 1749

Mr Elliot 1750

Mr Allen 1752

Mr Jackson 1753

Mr Beer 1755

Agreed to 1757

Other business**Visitor** 1729

The Speaker

Adjournment 1757**Lists of members****Members and their responsibilities** 1758**Committees of the Legislative Assembly** 1761**TABLE DES MATIÈRES**

Le mercredi 13 juin 1990

Déclaration ministérielle**Éducation des élèves sourds et malentendants** 1729

M. Conway

Réponse**Éducation des élèves sourds et malentendants** 1730

M. R. F. Johnston



47 1990

47 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Thursday 14 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le jeudi 14 juin 1990



Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

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Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 14 June 1990

The House met at 1002.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

EMPLOYMENT EQUITY ACT, 1990

Mr Rae moved second reading of Bill 172, An Act to provide for Employment Equity for Women, People with Disabilities, Native People and Members of the Visible Minorities.

The Deputy Speaker: The member for York South has moved second reading of Bill 172. According to the standing orders the member has 10 minutes to make his presentation.

Mr B. Rae: This bill which stands in my name is the product of a great deal of work, after a lengthy period of consultation among many people in the communities that are affected by this legislation, by the labour movement. I want to begin by expressing my thanks to all of those who have participated in the drafting of this bill.

This legislation is the product of a sense of frustration, because back in the early 1980s, when I was sitting a little further down the row here and the Liberals were occupying this part of the world, it was the common view of our parties while we were in opposition that we needed to take a new approach to the question of equal pay and that we needed as well to take a new approach to the issue of employment equity, of affirmative action for people who have been systematically discriminated against in the labour market.

As a result of that view, when the 1985 election results were known, our party and the Liberal Party signed an accord, about five years ago, in which the government-that-was-to-be committed itself to moving ahead on the question of employment equity, committed itself to a new approach to human rights and committed itself to moving on equal pay.

We all know that the pay equity legislation is far from perfect, that it excludes a great many people and that it leaves out literally hundreds of thousands of women, as many perhaps as a million, who are not covered by the legislation.

The government has not really moved at all in the area of employment equity. Over the years we have seen a variety of press statements, various statements made about what they would like to do and how they would like to do it, but the reality is that there is as yet no law that deals with the need to change the way the labour market works as it relates to people and groups of people who have been discriminated against on a systematic basis. That is why some time ago I decided to try to force the government's hand in the only way that private members in a minority parliament have, and that is by encouraging people to come to us to draft a bill and to hope that the government will begin to respond to the agenda which is being established by us and respond before the election of 1990 or 1991.

I will not go over the number of times the Liberal Party has said that it is going to move on employment equity. All I can say is, it has not moved.

It is interesting that as recently as 31 May, just three weeks ago, the Ontario Advisory Council for Disabled Persons released its report which is called *Workable: Fulfilling the*

Potential of People with Disabilities, which resulted from a two-year, comprehensive study of employment issues. It is interesting to note that, after extensive consultation, that report concludes that mandatory employment equity legislation, both in the public and in the private sectors, with goals and with timetables, is required to achieve a fair workplace.

The consensus, I would say, has grown to the point where everyone understands that the approach which says we are going to let things just work out the way they have always worked out and try, in the end perhaps, to do a little bit around the edges on a voluntary basis has failed. It has failed women, people with disabilities, native people and members of visible minority communities. I think it has failed everyone, because everyone suffers when people with disabilities, women, native people and members of visible minority communities suffer discrimination.

The legislation, which is quite detailed and quite specific in terms of what we think needs to be done, describes how we expect employers and employees to get together and establish plans that are based on an assessment of the workplace as it really is, that are based on an assessment of where the barriers to employment equity exist and what can be done about them.

It sets out the establishment of a commission on employment equity which would have the responsibility, clearly and specifically, to educate, to work with employers and employees, and yes, if it feels that a plan is not in place or that the plan that is in place is not possibly going to achieve the objectives of the legislation, it can recommend another plan.

It provides for enforcement, for the establishment of a board which would be made up of members of the target group communities, employers and employees as appointed by the various employer groups, including the government, as well as by the trade union movement.

1010

I have heard it said by some that employment equity sounds good, but really in fact there are a lot of people, even within the labour movement, for example, who do not think it is going to work. That is why we sat down with members of the labour movement for the last three years, and we have proved that it can work.

For example in section 12 with respect to the question of seniority, we have said very clearly that where seniority rights are set out in a collective agreement or where there are established practices in the place of employment in relationship to seniority, that seniority in and of itself cannot be considered to be a barrier to employment equity when dealing with the issues of layoff and recall. I think that is an important message to send out to people who are now working, to say to them that their basic right to employment, their basic right to a job, their security interest in a job, is not going to be affected by employment equity legislation.

That is not the purpose or thrust of employment equity legislation. The purpose of employment equity legislation is to say quite simply that the employers of this province have to become part of the solution and that the solution to the discrimination which exists in the labour market has to be found in the labour market itself; it has to be found in the workplace itself.

People who are blind or people who are deaf do not want welfare. They want a job. People who are members of a visible minority want to have the assurance that they are going to be given a fair shake, not only at the low-paying jobs but at the jobs with managerial and administrative responsibility.

I have visited native reserves in this province where the unemployment rate in the wintertime is as high as 85% and 90%. We know that the Ministry of Natural Resources, Ontario Hydro, Bell Canada and other major employers in these communities do not have effective employment equity program in place which will really make a difference for people who are living on those reserves. We know the numbers, we know the statistics, but what is hard to describe is the sense of frustration, the sense of exclusion and, yes, the sense of being forced to live on the margin because we have not yet put enough justice into the way in which our labour market works.

I say to the employer community in this province and I say to those who are responsible for the management of the labour market of this province, and that includes the public sector and the private sector, they are now part of the problem. It is up to them to become part of the solution. The labour movement, the members of the visible minority community, the members of disabled groups, women and native people are ready to become part of the solution.

I believe that whatever imperfections it may have, Bill 172 represents a necessary next step in the achievement of justice for people who have been locked out and left out for too long.

Mrs Cunningham: It gives me pleasure to address Bill 172, An Act to provide for Employment Equity for Women, People with Disabilities, Native People and Members of Visible Minorities, as presented by the member for York South, the leader of the official opposition party.

This morning I think we are seeing the results of some hard work on behalf of the member for York South. We are also hearing him speak, to some degree, of frustration around the lack of response to a promise by the Liberal government that it would be coming forth with legislation to support employment equity in the workplaces in the province.

I will be very clear from the beginning. It has always been my hope that the workplaces, the employers of Ontario, would recognize the real need of individuals from all walks of life, groups such as women, the disabled, native people, members of visible minorities, to have a fair and equal opportunity to be gainfully employed in Ontario. We find with the figures and the facts and the numbers, as we have looked very carefully at them over the last decade, that this is not happening.

We do know that there have been wonderful attempts by private enterprise, small business, large business and certainly the public sector in some hospitals and school boards and certainly government itself across Canada and within individual provinces to provide these kinds of opportunities. The results have not been particularly fruitful, but there have been some gains. I think the time has come that we very seriously look at appropriate legislation where we can rely on programs as models to be part of that thoughtful discussion around which legislation can and cannot work, based on experience and practice within our own province and across Canada and North America.

I compliment the member with his first attempt at this legislation. I will say quite frankly that there are certainly many parts of this bill that I do not approve of, that I would expect some serious discussion on. There are many weaknesses in the legislation, but I will compliment the member because he has put forth a great deal of effort to give this Legislative Assembly

an opportunity to begin. I do not feel that it was his responsibility, but he is as frustrated as others at the lack of opportunity to get a good start on this. So my interest this morning is to say that we be given ample opportunity, as the citizens of Ontario should be, in committee to discuss this legislation in full.

One of the concerns I have and one of the weaknesses in the legislation is that it gives employers only one year to develop and post employment equity plans. I would like to speak to one plan that relates to women. It would have been called an affirmative action plan in its time and I think it was begun by the North York Board of Education, perhaps in 1984. I am speaking from memory. I think that board at that particular time developed some targets for women in positions of responsibility, and it has been quite successful, but it was a 10-year time frame. It has made significant gains. It is a program that I feel this Legislative Assembly should be looking at for guidance, and there will be others across the province that we can look at.

They will say with regard to that particular board, groups of disabled people, visible minorities and native peoples that it has not been easy to have employment equity programs. They have looked at it, and they would have, I think, rather special advice for this Legislative Assembly as we look at any legislation and time frames to meet the needs of those particular groups.

The North York board, which we discussed this legislation with in detail, also had some concerns, and it would of course appreciate the opportunity to speak at the appropriate time, as this bill, hopefully, reaches the committee stage. I think all of us know it is important in society today that if we are going to meet the needs of our very special people, when it comes to their sincere desire to work, we will have to look at programs that have been successful and modelled by them.

All of us should be aware that one third of all job discrimination cases which come before the Ontario and Canadian human rights commissions are based on people with disabilities. We are not doing a good job. We have people in our society who are capable of working, who want to work. Yesterday we spoke, I think, with some degree of passion around our concerns for children who live in poverty. We should also be concerned that the people we are speaking about today, many of whom have children, live in poverty because they are not gainfully employed to the best of their ability and to the best of the ability of the workplace to respond to their talents, their desires and their energies. We have to do more than what we have done now.

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I would say that one year is not enough. We have a lot of model programs out there and they would agree. I would also say, as we look at some of the weaknesses in the bill, that I have never been one to take a look at a quota system. It is unrealistic and I think we need a great deal of discussion around that part of the bill.

I think the bill sometimes, for want of a better word, is confrontational in its approach. We could be more thoughtful of including the employers in the discussion and treating them as an equal partner in the workplace. That is something we could speak to at great extent in the committee itself.

We should also know that as to the employers having to establish positive practices and reasonable accommodation under subsection 3(7) of the bill, the reasonable accommodation measures that they must establish are anything but reasonable for many employers across the province. I think we would want

to hear from them on improving that part of the legislation. I will be specific in saying that flexible work hours are not appropriate for all places of employment, but they may be for some, and of course I am a supporter of that concept. I feel that working at home, interpreters, those kinds of things need to be discussed as part of guidelines to the legislation, and they have to be discussed so that at the same time the discussion around this legislation becomes very much a public discussion.

I compliment the member for York South on his initiative. I would also like to say that my belief has been that we should begin as far as possible in the public service of the province of Ontario, as we have with the pay equity legislation, to let the private sector know that we are successful and to provide a model within the public service itself. I would hope that these would be the steps that are intended by this legislation, and if they are not, that we could have very serious discussion around them before this bill becomes law.

It has been my thinking, as I have travelled around the province of Ontario, that there was a great deal of concern around the pay equity legislation in the province of Ontario. Certainly there are very few people who are not in favour of the principle of both employment equity and pay equity, but in order to get the workplaces on side I feel that it is not just the principle we have to believe in; it is some very clear examples of how we can make legislation work. We have a wonderful opportunity with this legislation not to make the same mistake that the government made in the drafting of the pay equity legislation. We have some models to look at there, and we know that time frames must be changed in that particular piece of legislation, that they are somewhat limited and that we have a long way to do.

It is my intent this morning to support this bill and to support its referral to the appropriate committee where it can be discussed publicly and where the member can get some good advice from the workplaces where they have employment equity programs that are working. It is an opportunity for us to recognize our responsibility and that of the workplace to meet the needs of women, the needs of people with disabilities, the needs of our native population and the needs of visible minorities.

I lend my support to the bill. I would hope that the Legislative Assembly would understand that I also recognize the many weaknesses. But I am the kind of person who speaks in favour of strengths and I am honoured to do so.

Mr Curling: Mr Speaker, I want to thank you for giving me this opportunity to participate in this debate on this private member's bill, Bill 172, the Employment Equity Act, 1990. In the few minutes I have to speak, I should make it emphatically clear that we on this side of the House fully support employment equity. I will go further to say that all members in this House support employment equity.

I want to commend the honourable member for presenting this bill. I understand his frustration because when there are inadequacies in the system. We would like to hurry the process in order to correct it, but we must do it correctly.

I have tried over a period of years to find out from various individuals, groups and organizations what employment equity means to them. The members would be amazed at the various definitions that were given. More interestingly, when they were asked, "How would you go about achieving this?" it is interesting that the answers we discovered were complex and also confusing.

Therefore, I have no problem at all in supporting in principle the honourable member's private member's bill. In plain,

simple terms I regard employment equity, what it is all about, to be about access, access for people who are denied fair and equitable treatment in employment. Statistics and studies have shown over and over that women, people with disabilities, native people and members of visible minorities are paid poorly, experience a higher rate of unemployment and underemployment, and some are unable even to get into the building to make an application. We must break those barriers down. It makes sense economically, it makes sense socially, and most important it makes sense from a humane point of view.

People are the most important resource we have. I am not quite sure that we treat them in that respect. We must establish a level playing field, and to do so it is important to recognize a very proactive strategy and initiatives on employment equity. The government has recognized that.

The members have heard these very wise words over and over again, and it applies very much so, that charity begins at home. What we have to do, as members know, as the largest employer in Ontario is that we must put our house in order first. Too often I get complaints at my constituency office that people are unable to move up in the system, to get jobs in government agencies and ministries. They feel very strongly because they are disabled, because they are a visible minority. So we must first make sure that we clean up our act.

In conclusion—I will try to give my other colleagues a chance—my colleagues have worked very hard, both the member for Scarborough-Agincourt and the member for York Centre. The proposal here is complex and requires careful consideration. I feel that many of the specific issues need to be addressed with a great deal of care.

I want to commend the honourable member for putting forth this bill, but I would say it goes far beyond and a horrid—in his term he said, "We have to force the government to do something." That is what we will not do. We will not be forced into actions that are inadequate. We will consider it carefully and of course I will make sure that we use some of the very logical argument that the honourable member put in his private member's bill.

1030

Mr Philip: I will be brief since I know a number of my colleagues in the New Democratic Party caucus wish to express their strong support for this bill, as I do. I know how much work, how much research and how much consultation has gone into the bill. I am proud that I have been a part of that process in meeting with the various groups of people who are concerned about the issues.

I know how anxious some of the people have been to see this bill in print and debated, and I commend them for their patience and for their understanding that legislation like this requires a lot of research, a lot of consulting, and a number of revisions and fine tuning. That has been done and today we have before us a bill that I believe is the most progressive employment equity bill anywhere. It benefits from our studies of some of the other jurisdictions, from some of the shortcomings of some of the other mandatory equity programs in those other jurisdictions.

I ask members not to label it as to what has happened in other jurisdictions, but to understand that this is an improvement on legislation that has been passed everywhere and anywhere else.

This is a bill that is one of balances. It is a bill that can be called a decentralized bill. Unlike the traditional approach of the Liberal government, which tends to impose a centralized

bureaucracy and tell people what to do, it is a bill that actually forces the employer and the employees to get together and to work out a plan that is acceptable to all sides.

The plan accommodates both the equity seekers and the existing union and worker rights in the workplace. Because decisions about promotion and hiring always rest with the employer, employers are responsible under the bill for fulfilling their employment equity program. It takes into consideration some of the difficulties that the very small business people would have and therefore deals with that problem.

I wear a lapel pin that says, "Proud to be Canadian: Diversity in Unity." Members of the visible minority, women's and disabled groups want to be a dynamic part of Canada. They do not want a free ride, what they want is an equal ride and that is what this bill provides for. My parliamentary assistant Angela put it so well one day when she said, "This government thinks that it can buy us with cocktails, hors d'oeuvres and smiles, but at some time those of us in the visible minority groups want to say, 'Where's the meat?'"

If we pass this bill, the Liberals will have shown that there is meat and that they are concerned about the inequities in our society. If we look at the disabled, at present disabled persons have lower labour workforce participation rates than non-disabled people. Among those reporting a disability, only 43% of those who are of working age—that is, between 15 and 64—are employed. Disabled Ontarians between the ages of 15 and 64 had gross incomes that were 46% lower than those of non-disabled Ontarians of the same age.

It is time we stood up for a Canada and for an Ontario that gives everyone an equal opportunity. The people in the disabled community, the people in the women's groups, the people in visible minorities want an equal chance. They do not want a free ride. This bill provides for a decentralized, sensitive approach to bringing about a more equitable situation in the workplace. I would urge my colleagues in all parties to join and vote in favour of this bill.

Mr Sterling: I want to indicate to the Leader of the Opposition that I am going to support his bill today, because probably the greatest goal that a politician has in entering the Ontario Legislature is to ensure that each and every citizen of the province has an equal opportunity to make his or her way in life as far as it is possible for us as legislators to make it so.

For some people it does not matter what set of rules we put down. Employment equity will mean getting the job or getting the promotion. However, if we can set up, and it is possible, a regime whereby we can ensure that those decisions are made in a fairer way, I am, as one member of the Progressive Conservative Party, willing to look at that method.

Recently we have been talking about and experiencing the implementation of another bill, dealing with pay equity in this province. We have been talking about pay equity legislation that kicked into effect for many private corporations on 1 January. I mention pay equity because we have now experienced the first few months of that legislation in place.

Unfortunately the legislation is not working in the private sector. There are now plants closing across this province because of that piece of legislation. I expect that many jobs will be lost in various parts of the province because of the pay equity legislation. I think that was because we did not address all the problems when we brought that legislation before this House and it was made in an ad hoc way in front of a committee in a minority Parliament. Therefore, we are now suffering the consequences of a bad piece of legislation.

No one can argue with the principle of pay equity. Nobody can argue with the principle of employment equity. That is why I and many of my colleagues are going to support it. Some of my colleagues in the Progressive Conservative caucus will not be supporting this bill, because they believe that the bill put forward by the Leader of the Opposition is a bureaucratic nightmare and that there are many, many deficiencies in the proposals he puts forward. But I say to any of the other members who might have an interest in this area that it is an area where we can explore the methods and process put forward by the Leader of the Opposition in a positive way.

The nature of a private member's bill is that very few of them actually reach the final level of passage by this Legislature. A private member can use this process, however, to put it on the public agenda. I believe that is what the Leader of the Opposition is now doing. I urge the members of the Liberal Party not to follow the process they have undertaken in this Legislature with private members' bills in the past—that is, they will vote in favour of a piece of legislation like this but block further discussion on it when the Leader of the Opposition, as he no doubt will, asks that this bill be referred to committee—so that his ideas can be discussed.

I look forward to discussing those ideas outside this Legislature in a standing committee where we can call the public before that committee and can hear them. I would say to the public who are watching and listening today that if the Liberals vote against the process of allowing this bill to be discussed, then they are voting against employment equity.

Mrs Sullivan: I will be supporting this bill. I am concerned about some of the specifics of the bill, but I believe that the principles put forward here are useful in the process of public discussion and will assist us in moving forward in defining some the issues.

I think employment equity is both a strategy and an objective. Using the phrase "employment equity" is really looking at programs that are designed to eliminate barriers to fair competition in the workplace that impede women, native people, visible minorities or the disabled, including at all times in an employment equity approach all levels in the occupational fields in an organization. An appropriate program would also include many of the things that have been discussed in the bill that is put forward here.

One of the things I particularly liked about this bill was the emphasis on skills training. That education and training is going to be very much a part of a full and consistent program.

1040

Additionally, one of the things that goes hand in hand with employment equity initiatives, it seems to me, is pay equity. We are certainly under way in our pay equity programs. We have seen companies and organizations, as they are approaching pay equity, set their timetables and work with their employees to ensure that the considerations of both the workforce and the employer are taken into account in those programs. We have to understand that it does require sophisticated human resource strategy for companies to approach, for the most part, employment equity programs. I also believe that internally set goals and timetables are very useful in terms of moving employment equity forward. I would like to refer to a couple of examples of companies that in fact have been recipients of the employment equity awards.

In 1987 General Motors of Canada and the Canadian Auto Workers union jointly developed an employment equity program. I was interested in reading that Bob White says that while

the process is a slow one, progress is being made. Just to quote him: "Equality doesn't happen by accident. You have to work like hell to achieve it. But when you open the doors you find a great depth of talent." The employer's director of human resources, Mr Curd, also speaking of their experience as they were implementing their program, said: "We've inevitably found that when you can remove barriers and have full equality it's good from a business sense. I wouldn't take away from the size of the job there is to change attitudes—it's a big one. But the other point is that it can be done when there's a commitment to get it done." I think that is what management and union are proving at GM.

Du Pont Canada has also implemented a series of equity initiatives. One of their conclusions, announced at the time of the employment equity awards, was their belief that there should be no single approach for every company. Each program should be adapted to an organization's unique corporate culture and needs. Their vice-president of human resources, Gerry Fox, suggests that, "To remain competitive it will be necessary for all businesses to seek out the best people and to create an environment in which their talents can flourish. Employers who do not do this will be putting themselves at a competitive disadvantage."

In 1988 a smaller company than either GM or Du Pont, a company called Edwards, in Owen Sound, a unit of General Signal, received the employment equity award. Their president, Brian Veale, said: "I think that there is a lot of lipservice given to the whole issue of employment equity. It really isn't until you put resources to the test of providing equity that you can ever claim any success."

I think that those examples are useful in showing how well in fact employment equity can be put into place. There are certainly reservations, about which criteria and standards would be put into place against which employers can be compared, and the flexibility and recruitment. I think this is a good step forward and I congratulate the member on putting forward the bill.

Ms Bryden: I strongly support Bill 172, the member for York South's private member's bill on employment equity. This is ground-breaking legislation. It is far in advance of any other legislation in Canada to ensure fairness in the employment market for those who have been dealt out of the marketplace: women, the disabled, native people, visible minorities. It applies to both the public and the private sectors.

Society has turned a blind eye to the inequities of the job market for these groups of people. They all face barriers to employment and to fair treatment. These barriers must be knocked down. This bill addresses how those barriers can be removed. Only when that is done can employment equity become a reality in Ontario.

Today in Ontario women earn 64 cents for every dollar earned by men. Among persons in Ontario reporting a disability, 41.5% of those of working age are employed compared to 67.4% for the rest of the population, and many of those employed earn substandard wages. Only 51% of registered Indians in Ontario were in the labour force compared to a 67% participation rate for the whole population in a study done recently.

Members of visible minorities did have a greater overall labour participation rate in 1986 than the rest of the population, 74% compared to 69%, but overall they are the working poor. They have families to support and many are not eligible for income support. Their average income in 1986 was only about 87% of the Ontario average income. The unemployment rate for

visible minorities was 7.6% compared to 6.8% for the overall population.

In my 15 years in the Legislature I have participated in the battle led by the New Democrats to reach the goal of equal pay for work of equal value, but I must say the rate of progress resembles that of a glacier under the Progressive Conservative Party and the present Liberal government. I introduced my own pay equity bill eight years ago in the Legislature when I was the women's critic. It did not pass.

I have worked with the Equal Pay Coalition which led the battle across the province. It was made up of trade unions, women's groups and a wide cross-section of groups working for fairness for the groups which are shut out of the employment market. Without their concerted efforts we would never have forced the government to introduce Bill 154, requiring pay equity in both the public and private sectors, in November 1986.

But the bill does not go far enough. It is greatly flawed. It does not cover one million women, half of all the working women in Ontario. They are dealt out because it only applies where a comparison can be found with male workers in the same field. Among those million women are many who need pay equity the most, visible minority women and women in traditionally female jobs.

The member for York South's bill goes far beyond the coverage of the Pay Equity Act for these women. It also covers the other excluded groups, like the disabled, native people and minorities, which are discriminated against because of colour or ethnic prejudice. His bill addresses the barriers to employment equity which all these groups face. His bill is concerned about the provision of affordable child care for workers. It is concerned about the provision of adequate training for workers and the unemployed. It is concerned about affirmative action and an educational program to combat discrimination. It is concerned about fairness in promotions.

The member for York South's legislation also provides a model for achieving employment equity through the development and implementation of plans for each workplace, drawn up through collective bargaining or joint labour-management working groups. The Minister of Labour's proposed amendments to the Pay Equity Act do not go beyond some tinkering with the coverage of the act as it affects women. It does not cover any extension to the groups covered by Bill 172.

The member for York South's bill will provide all women and all groups in undervalued jobs in both the public and private sectors with mechanisms to gain pay equity adjustments. It will knock down the barriers to full equality of opportunity in this province. All members of the House who believe in fairness to all sectors of our multicultural society must support this bill.

Mr Velshi: I am pleased to participate in this debate today. I am also pleased to be stating that I am supporting the intent of Bill 172 and I will be voting in favour of it, the bill that was introduced by the Leader of the Opposition.

Employment equity can be described as a comprehensive process adopted to ensure equitable representation of designated groups throughout the workplace and to remedy and prevent the effects of intentional and systemic discrimination. Over the years the Liberal government of Ontario and governments before that have introduced legislation which I would term social conscience legislation, the sole purpose of which was to protect those groups that are disadvantaged or needy.

1050

Some examples of these are the creation of the Ontario native affairs directorate, which is involved in the policy of native land claim settlements and now talking about internal government for them; the Ontario women's directorate, which resulted in pay equity legislation; the Office for Disabled Persons and the Office for Senior Citizens' Affairs, both of which look after the specific needs of these two groups; the Ministry of Citizenship, which looks after the refugees and new immigrants and their settlement process in this province; and the Office of Francophone Affairs and the directorate, which resulted in Bill 8, the French Language Services Act.

While these secretariats have served an excellent purpose, they are rather narrow in scope. They have not been able to correct the very serious problem of employment equity. It is also obvious that voluntary employment equity will not be successful. It will have to be legislated and enforced. Some people will say this is discrimination in reverse. To those who refuse to recognize that it is not discrimination in reverse, that it is just an effort to correct an imbalance that has been created over the last 50 or 100 years, we have to recognize that a major problem exists and it has to be corrected, and corrected now. We have already seen a very large group of people who are losing hope because long before they graduate from school they have reached the end of the line, before even entering the workforce. We see the resulting frustration in the forms of despondency, youth crime, alcoholism, family violence and even suicide.

However, I feel that the introduction of employment equity requires thorough planning. This bill, with all due respect to the Leader of the Opposition, and I know that he is very sincere about this bill and what the intent of it is, is going a bit too fast. I am aware that the proper bill is in the legislative process right now and we ourselves are pushing for it and hope that it will be introduced as a bill in this House this year. The Leader of the Opposition himself said that the purpose of this bill would be to put pressure on the cabinet. I think he is perfectly correct in that, and we too are putting pressure. We expect this proper bill to be presented to us hopefully this year. I will be supporting it now and I will be supporting it then also.

I also support the idea of having proper hearings across the province. I think the input from all people—industry, trade unions, everyone—is essential to this process, because without that we will not have a bill that will be acceptable to the people of Ontario. I therefore suggest that while I support the intent of this bill and am going to vote for it, I do still feel that a little more research needs to be taken on this matter. I believe that the process is in place now and I believe that very shortly we will be seeing it. I will be supporting that too, and I expect that everyone in this House will be supporting it when it comes.

I must congratulate the Leader of the Opposition. This is part of the process that I call the social conscience of this House. While he is talking about equity, I come from a different angle. I talk about equity and the very survival of my group; and I regard all the groups—the women, the francophones, the natives, the disabled and the visible minorities—as all part of the same group. It is important that we do proceed with this.

Mr R. F. Johnston: Maybe it is time that somebody took the gloves off here. I cannot stand this phoney debate that is going on, as if everybody is in favour of the principle of this bill. What garbage! The principle of this bill is not only that there shall be employment equity; it is that there will be targets. We know that people on this side are opposed to targets and yet they are voting for the principle of the bill. The government

members get up, two of whom I suppose have had their own frustration over the last number of years, both of whom are good advocates for employment equity but who know that their government has done nothing at all.

Talk about a bill coming out this year. I happen to know that the working committee to deal with this has not even been established, the legal counsel for this has not even been appointed yet, and you are telling me that you are far advanced? You have not moved on that basic agreement that you made with us in 1985, that we would have employment equity legislation. Here we are five years later and you have got the nerve to get up and say you are in favour of the principle of this bill. Garbage! All you are trying to do is make this bill go—

The Deputy Speaker: Order. Address the Speaker, please.

Mr R. F. Johnston: I am talking to the whole House, through you, Mr Speaker. I am not looking at any one of the culprits over there. You want this to go. You pretend this is going to be part of public discourse now. What you want it to do is to disappear because we are all in favour of employment equity.

The Deputy Speaker: Order. Address the Speaker, please.

Mr R. F. Johnston: I am addressing you, sir, through the corner of my eye. I have to say to you, Mr Speaker, that I am offending by what is going on here. At least somebody should have the guts to get up and say where you stand. To those of you who say that this bill moves too fast, how long should the disabled have to wait to get equity in this province? How long should visible minorities in this province have to wait? I tell you they have waited damned well long enough. To say that one year is too long is garbage, and you are just masking the fact that you oppose the very principles that are involved in this bill. Why none of you has had the courage to get up and say so, I do not know.

Mr Speaker, I am not speaking to any one member. I am not addressing my remarks to any one member and I can look where I wish in this House.

The Deputy Speaker: The standing orders say to address the Speaker. If you want to refer to the members, refer to them as "they," not "you."

Mr R. F. Johnston: Mr Speaker, this is garbage and you are trying to interfere with me at this point. I am not talking to any individual member; I am talking to the entire House and you can respect that as being through you.

The Deputy Speaker: Not through me; address the Speaker.

Mr R. F. Johnston: Mr Speaker, I do not know why you are trying to interfere with my rights in this House, but I would respectfully ask you to stop this. I am angry and I am speaking to the general House.

Mr Pouliot: He's right. That's about five times, sir. You've done it to me, you've done it to the leader and everybody else.

The Deputy Speaker: Order, please.

Mr Pouliot: Order or not, that's the way it is.

The Deputy Speaker: Order, please.

Mr R. F. Johnston: Mr Speaker, for the last number of years I have been the women's critic, I have been the critic for the disabled in the past, I have been the critic for Skills Development and am still, I have dealt with poverty in this House over the last 11 years; and I am frankly outraged that

anybody would get up and try to smother this bill, as is being done now, with nicety and acquiescence rather than by debating the important principles that are involved in this bill in terms of targeting, in terms of deadlines and in terms of involving the union movement in the decisions that should be here. If I cannot be angry about that and in some way speak to the general House without being interfered with by the Speaker, I would think that at this stage I should have that right to do so.

I am delighted by the process that my leader has gone through to bring this bill to this stage, and why the government with all its minions has not been able to do the same thing, I do not know. I think it should be an important symbol to all those who are watching and listening to this debate today that this is the leader of the New Democratic Party's bill. That is the importance that we give to this. We did not give this to the critic for Citizenship to present. We did not give this to the critic for Labour. We said the leader will come forward with this because this principle is vital to equity in this province. We are not going to say that you are going to be able to submerge this principle and continue with another five years of inaction that we have seen from the Liberal government, or stated opposition to the very principles in this bill by leading members of the Conservative Party in this province and make this disappear. This is an important issue which we will be pursuing.

The member for Carleton made an excellent point. I have little doubt that the two-faced nature of the Liberal government in this business is going to be showing itself by a vote in favour of this and then moving it to committee of the whole House, and as we all know who have had bills moved to committee of the whole, that means to Never Never Land, never to go any further. It is no different than if you all stood up and opposed the darned thing right now and had the honesty to do so.

I would much rather see the members on the other side get up and defeat this bill now—understanding where they stand on the process, understanding where they stand in terms of the principles involved in this bill, because they have shown over the last five years where they stand on this bill—than to get up and pretend you are in favour of it, hoping it will not be an election issue, hoping it will not be the major equity issue that we need to deal with in the next little while. Well, let me tell you, you are not going to get away with it, because as we are showing by the fact that it is the leader who has brought forward this bill, this is an important bill to the NDP and we will be pushing this principle so hard you will not be able to hide behind your smiles of acquiescence any longer.

The Deputy Speaker: Does the Leader of the Opposition wish to wind up?

Mr B. Rae: First of all, I want to thank my colleagues for their support in this debate. I would like as well to say that I expect and would ask that the bill be referred to the standing committee on resources development and not simply be sent to committee of the whole, but that it be a bill which will be taken seriously by the government.

1100

I can say that I have been—not surprised by the debate because indeed when there are matters that are controversial—let me say to the members of all sides that this is not an easy bill; implementation of employment equity is not an easy thing to do. It has taken us a considerable length of time to introduce this bill because of the number of interests that had to be reconciled. But what I find so typical of the Liberal Party in this instance is that the Liberal Party would fail to admit or recog-

nize that it has in fact put this issue far on the back burner of its policies.

We know in terms of discussions we have had that this bill is nowhere in terms of cabinet priorities. We know that this bill is nowhere in terms of actual legislation about to be introduced. That is why we have had to go the route of introducing a private member's bill. I would ask, in conclusion, that the government at least have the decency to refer this matter to the standing committee on resources development where it can be discussed and taken seriously, where it can be seen as a priority, rather than forced into the limbo land of the committee of the whole whence it shall never return.

I think we are entitled to that, the disabled community is entitled to that, the visible minority community is entitled to that and women are entitled to that. That is the very least the Liberal Party can do.

MENTAL HEALTH AMENDMENT ACT, 1990

Mr Callahan moved second reading of Bill 173, An Act to amend the Mental Health Act.

The Deputy Speaker: According to the standing orders, the member has 10 minutes to make his presentation, but before the member starts, I want to take 30 seconds. The standing orders call for all members to respect them, including the one where they address the Speaker. I have interpreted that addressing the Speaker means if members want to refer to other members, they refer to them, they, he or she.

I think there is a strong reason for that and I do not want to cut the rights or interfere with any members addressing themselves, but this will apply to all members regardless of who they are and what party they belong to. That is the precedent that is elsewhere in Ottawa and other legislatures, and I will make that be respected here at the Legislative Assembly.

Mr Callahan: I rise in regard to Bill 173, which I think requires a bit of explanation as to what it in fact does. In 1978 the Mental Health Act underwent major revisions. Certain revisions were made but did not come into force until 1984, and they dealt specifically with the question of treatment of involuntary patients in hospitals. Subsequently, in an effort to bring the Mental Health Act into line with the Charter of Rights, Bill 7 made further amendments. Those amendments literally provided that an involuntary patient, competent or incompetent, could not be required to take treatment.

The minister of the day at that time considered that to be very dangerous and subsequently Bill 190 was enacted which provided for review boards to be applied to to make an order on certain specific evidence, as set out in the act, to allow medication to be ordered. These orders themselves could be appealed to a district court judge.

The bill that is before members does two things, and they are quite minimal. The first one is to require that the appeal be heard within 30 days after it was perfected. The reason for that was that unless the judge appealed to made an order that medication was to be continued—and I understand this very infrequently happened—the person affected by that order in fact remained in custody, as it were, in a hospital as an involuntary patient and received no treatment.

The purpose of getting it on quickly is that in the event that even if an interim order is made under the second part of my amendment and it fails, at least the person is not kept in custody for periods that were reported to be a minimum of three months and perhaps beyond that. The Globe and Mail had an article

castigating the delays, particularly in urbanized areas where there is a large backlog of cases in the district court.

Having said that, that is basically what the bill does, but it is involved in a far larger issue. The question of schizophrenics and the fact that they are episodically sick, as opposed to being chronically ill, has created grave difficulties under the Mental Health Act. These people normally require emergency treatment, quick treatment, quick access to the hospital, quick access to medication, and because of the provisions of the Mental Health Act that presently exist, grave difficulty is created by this because there are certain tests that have to be reached. You have to establish that there is an imminent danger or a serious threat to themselves or to others.

Very often the only person who knows that the schizophrenic is falling from the period of normalcy he may have while taking his medication is the loved one. The loved one comes and tries to seek treatment and cannot convince the people who have the power to order an involuntary admission. They may come there with their loved one who is prepared to make a voluntary admission, and when they get there, the patient decides he does not want to do that.

It is the very nature of the illness of schizophrenia that people either deny they have a problem or there are side-effects from taking the very medication that helps them. Along with, I suppose, their paranoia—they feel that they are being poisoned or badly done by—the net result is that they may come as a voluntary patient and they may decide when they get there that they do not want to go into hospital or they may go into hospital and decide they want to leave without receiving any medication.

There has to be provision in the law that protects these people, to differentiate schizophrenics from people with other mental illnesses. It seems to be a tremendous tragedy that where there is some relief through medication, loved ones have to watch their children, or they may be adults at this time, reach a stage of committing suicide, of injuring other people, of winding up in the criminal courts, because there is not an effective way of ensuring that they take medication.

Surely a society that tries to protect the rights of individuals, which certainly is justified, should also look at the question of what we are doing to these people. What are we doing by denying them a law or a procedure whereby loved ones can ensure that they are going to be treated properly?

The other difficulty, I suppose, with schizophrenia is that a person might be considered to be incompetent and may suddenly no longer be incompetent because of the use of treatment, in which case it creates a disaster in terms of being able to be treated under the Mental Health Act.

The considerations that have been given in this regard were to protect people with mental illnesses that were chronic. We deinstitutionalized people because we considered that to be humane, and I think every member of this Legislature would agree that that continues to be the order of the day. But when we are dealing with schizophrenics who are episodic in their illness and can in fact be assisted and are able to lead in most cases a normal life, and we set up roadblocks or we create legislation in such a way that they are not able to get access to that help, then I suggest we really do them no favours.

Returning to my bill, if we are looking at the civil liberties—and I think we have to look at the civil liberties of people, particularly people who are mentally ill—if we pass the provision requiring a 30-day period after perfection of the appeal to be brought into place, if we pass the provision dealing with interim application to a judge in order to persuade a judge

that medication be allowed, then in fact what we do is we save these people from a period of being really incarcerated with absolutely no treatment at all. We get out of the warehousing, which is what we originally intended by the social policy that was thought of when institutions were closed in the past.

I think as well that the major objective—I am quite up front that although this bill deals with minor items, I would like to see this matter get before a committee to give the loved ones of those people who are suffering from the illness of schizophrenia an opportunity to tell us as legislators just how those people differ from those who are chronically ill with a mental illness.

I remember on the Bill 7 hearings back in 1986, there were people who had attended those hearings. I can remember talking to mothers who did not get an opportunity to speak and were really outraged and felt a sense of loss in that they were not able to say something about their particular situation.

I know in my practice over the years in the courts that I found people who were being brought before the courts on criminal charges who were really sick people, who were people who were sick but could have had their illness controlled and would not have found themselves in this predicament.

Unfortunately, while many judges said, "Why are you here? You should be in a hospital receiving treatment," and I think that is true, I would be willing to bet that if you went through our correctional institutions and our penitentiaries, you would find people who are there not because they are criminally oriented but because they are people who are ill and require treatment. If the treatment is available, why not provide the mechanism whereby they can receive it?

I suggest as well that parents should not have to wait until their children jump off the Gardiner Expressway or commit suicide or harm the parents themselves. As a civilized society, we should make certain that our laws are clear enough that we are able to provide the mechanisms whereby emergency treatment can be provided to these people. Through that emergency treatment these people can continue to live as normal a life as possible and not be plagued by the factor of having to reach the stage of the final act of being a threat to themselves or someone else before they qualify for the benefits that are provided by the law.

I urge members to consider the amendments and to recognize that they are in fact minimal. They are an attempt to rectify what is happening now in terms of waiting for appeals, the warehousing of patients. But at the same time I think it is incumbent upon this Legislature to give to the parents of this province an opportunity to have their say and perhaps to give us ideas on how we can deal with schizophrenics.

In addition to that and finally, I would say that the money that is being spent on investigating a cure for schizophrenia is peanuts. I think this has to become a heightened element so that the public sector and the private sector will contribute the kind of money that they do to other illnesses, which are equally as devastating as this. But this really fractures a family. It takes people who are good people and puts them on the streets to roam the streets aimlessly.

Those are my comments in opening, and I will relinquish the floor to my colleagues.

Mr Reville: I have many things in life. Some of them are happy and some of them are sad. One of the things I have that is sad is a major mental illness. I acquired a diagnosis in 1965. It has been amended a number of times since and I have lived under the tender mercies of the Mental Health Act since 1965 in its different versions. Between 1965 and 1967 I was an involuntary patient in an Ontario provincial psychiatric hospital, during

which time I was confined for 18 months. So you will understand, Mr Speaker, why my hair stands straight up on end when I hear the words Mental Health Amendment Act.

As the member for Brampton South has recited, this Legislature during the 33rd Parliament entertained the Mental Health Act on a number of occasions, partly in respect of Bill 7, later in respect of Bill 190, in between in some best unremembered bills that most reflected government confusion about the issues in this connection. My own Bill 50, the Community Mental Health Services Act, received second reading support in the Legislature on 17 December 1987 and has been mothballed by the government since that time.

My legal advisers have assured me that Bill 173 is benign, and I will not be opposing it. I am, however, aware of the views of the member for Brampton South. I know they are carefully held views and I do not dispute his right to hold the views. He takes a best-interests approach to this situation, and his views are at variance with mine. I take a rights approach, and that is why I was pleased with the amendments that flowed from the discussions in 1986 and 1987.

The real agenda here, as the member for Brampton South readily acknowledges, is to create a forum for a discussion about the tension between best interests on the one hand and rights on the other. It is a legitimate agenda. I want him to know, however, that just as he will marshal the forces that are interested in the best-interests position, so too will I marshal the forces of those who represent the rights position. He will know that because the rights forces are persuasive and committed, as are the best-interests forces, he is in for a major fight.

I believe the issues go to the heart of what we believe about civil rights, and clearly there will be charter challenges if the balances are shifted in any measurable way. It is not easy to discover what that proper balance is, because it is a balance between societal interest in the health and safety of its citizens on the one hand and the right of an individual to be the captain of his or her own fate on the other.

I do want to point out, though, that to rely on what we call treatment is to court both disappointment and disillusionment. Treatment in Ontario and indeed in most of the western world consists primarily of hospitalization and drugs. Neither the hospitalization nor the drugs do anything to alleviate the social, economic and political deficits that people in mental distress carry. In fact, the treatment often exacerbates those deficits; it makes them more profound.

The member speaks about schizophrenia as though that label alone explains all you need to know, and that is not the case. Even people on whose behalf the member for Brampton South is arguing, primarily the people who are the families and friends of those who are labelled schizophrenic, will acknowledge that their loved ones are so different one from the other that what is called schizophrenia must be many, many different things.

As difficult as it is for us as legislators to accept, because in fact we all come to our task trying to design and implement a better kind of society, we cannot always prevent every human tragedy. We could shrink-wrap everybody at risk. If we did that, we would be taking on an extraordinary financial liability, and we might accept that if we thought it was going to be efficacious.

What worries me is that there is a great human cost to shrink-wrapping people who are at risk. It is very hard for me to accept the prevention of one kind of tragedy by imposing another kind of tragedy, forcing people into a kind of nether

world where they will be straitjacketed with chemicals and where they will experience the great despair of alienation.

It is my hope that this debate will go forward so that we can struggle with the issues. I know what side I am on. I know that if we can convince this government to proceed faithfully to implement the recommendations of the Graham report, which relate to a range of least-restrictive services that will be provided in the community, we will in fact alleviate the distress that many people currently experience. It is in that direction I feel most optimistic about reducing human tragedy, rather than the direction that the member for Brampton South believes is the appropriate way to go.

1120

Mr Sterling: I would like to just speak very briefly on the bill. I have had an opportunity to look at the bill and quite frankly do not see that it changes to a very great degree the procedures that are in place. Perhaps it adds some comfort to the procedure.

The only question that I would have of the presenter of the bill is whether or not an imposition of a time frame on a court has precedent and what happens if in fact that time frame is not met. Does it then act in favour of the appellant or the respondent, and therefore can the procedure be used in order to avoid going to the hearing by either party?

I believe my colleague the member for London North is going to conclude our comments from our caucus at this time.

The Speaker: Is there agreement? There is agreement.

Mrs Cunningham: The real purpose here is efficiency so that we may in fact leave some time for some of the Liberal members to speak in support of their colleague's legislation this morning.

I would like to compliment the member for his introduction of this amendment this morning. I know that the member for Brampton South has always been a person who has been most interested in the treatment, the cure and the quality of life for many special citizens in the province of Ontario, those who suffer with the disease of schizophrenia. Right now, no one does in fact have the answers with regard to the quality of life, with regard to support systems, with regard to medication, programs and treatment, but anything we can do to assist these people with an improved quality of life, with improved health, and just as important, to assist their families and friends, is certainly in the best interest of the public of Ontario and is certainly the responsibility of this Legislative Assembly.

Although with Bill 173 we are looking at a very small change in an amendment to the Mental Health Act, I should say that what it really means to me and to others who are following improvements is that if an in-hospital patient is deemed incompetent by the hospital review board but that person wants to end his or her treatment, it must go to the district court. That is the way things are right now.

Sometimes that takes a very long period of time. For the individual, if one is talking about human rights, about what is right for him, many of us from time to time are subjected to a very inefficient court system. Anything that we can do legislatively to make it better for the person involved, we must do that. This amendment would ensure that the appeal by the hospital review board takes only 30 days.

We have been told by solicitors, as we have inquired as to the practicality of this amendment, that in fact that will be a very difficult time period for them. Do you know what I say? I say, tough. People's lives are at stake.

Sometimes we sit around because it has been the practice to sit around when it comes to moving things through our courts. Other times we sit around because the kinds of people we are representing or dealing with are not the kinds of people who can speak or lobby for themselves, and many families are simply worn out by the process.

So if we have a member who says it is going to take 30 days, I say, good for him and I hope that everybody in this House will be supporting this legislation. Sometimes in life there needs to be a time frame, and this one is probably even too long at that.

I would also say that we know that we already have a clause, and this is the argument from the other side, that states that the appeal must go through as quickly as possible, and for those of us who live with those words from day to day, we know it does not mean a darned thing.

I just hope that this is one small improvement, but I think the great reward of this kind of legislation coming forth and being referred to committee is that we will once again have a chance to revisit publicly the Mental Health Act and we will have an opportunity to hear from professionals as to improvements that they could recommend. Perhaps out of those kinds of discussions we may even have opportunities to take a look at improved programs for our very special citizens who are suffering from schizophrenia, and I would say that that is long overdue.

In programs that are supported by the government of the province of Ontario and by communities and by private groups, we would commend the individuals who I call our front-line workers as they deal with rather significant challenges in society. Anything we can do separate from legislation is not only our responsibility, but it is also our personal hope that we are able to make those kinds of contributions. So I am looking forward to the kinds of discussions that can take place in that committee.

As an elected member of this assembly, there is not a week that goes by that I do not have a member of a family or a person who is suffering from this terrible illness come to my constituency office or phone me. Over a period of a month I would easily discuss with four or five different families or friends challenges when it comes to treatment, challenges when it comes to changing legislation and challenges when it comes to providing a quality of life.

In the last few weeks in this Legislative Assembly we have talked, even this morning we talked about employment equity, which may not mean a lot when it comes to this piece of legislation, but these people are in their own ways disabled and there are many ways that we should be reaching out to assist them.

So I commend the member for Brampton South for his initiative. I understand that his colleagues wish to present their statements on the record of this Legislative Assembly, so our party will not take further opportunity to speak to this bill, but I do hope that we will have that opportunity once again at the appropriate committee level where all of us can revisit our responsibilities as legislators and our responsibilities as citizens around the quality of life for people who suffer from mental illness in the province of Ontario and do whatever we can to improve it by passing this amendment and by supporting programs in this Legislative Assembly.

Mr Dietsch: It is with pleasure that I rise today in order that I may voice my support for the amendments to the Mental Health Act contained in Bill 173, brought forward by my colleague the member for Brampton South.

First of all, I would like to take the opportunity to reiterate some of the statistics about schizophrenia to help shed some light upon the need for this bill in attempting to address in what I consider a right direction.

Experts estimate that about one in every 100 people is schizophrenic, making the disease by far the most common type of mental illness. Statistics also show that 20% of schizophrenics commit suicide. I know that many members of this House can reflect upon the horror stories that have taken presence in the press and brought to our attention these kinds of issues. But it also notes that about three quarters of them can respond to treatment.

At present we know that there is no known cure that cures *ad infinitum*, but we know that there is medication that can arrest some of the symptoms of schizophrenia. Dr Brian Hoffman, chairman of the Ontario Medical Association special committee on mental health, was quoted as saying, "The nature of schizophrenia is that it is a slow, insidious thing, that many victims appear normal."

I cannot help but reflect upon some of the things that are taking place this week. This week is National Access Awareness Week, and the theme is the reflection upon the invisible disabilities. I think it is appropriate that the member for Brampton South should bring his bill before this Legislature this morning and take some of the steps in what I consider to be the right direction on the Mental Health Act. We know that it is not going to be the end-all, be-all solution, but it is certainly a step which I consider to be a very forward-thinking step for all professionals concerned about deciding whether the patient should be treated against his will, while thousands of families caring for relatives with this disease worry and watch helplessly as the patient's conditions deteriorate.

1130

Of all the things that I, as a member of this Legislature, come to wrestle with, it is those very difficult times when individuals come before me in my constituency office talking about their families in a very caring, revealing way that put me, as a member of the Ontario Legislature, in a very helpless light. Quite frankly, I find it very difficult to try to address those feelings of uncomfortable times that these individual constituents feel and yet reflect on what I consider a very meaningful contribution to the way they are feeling.

Often, as my colleague so correctly pointed out, schizophrenics are taken into care in facilities, they are given medication, they appear competent at the hearing and are thus released. Some will continue to take their medication and live what is near to being as normal a life as possible, considering their afflictions, but some will not take their medication and, once back out on the streets, they will once again begin to suffer with the hallucinations and the delusions that can prevent them from recognizing their own particular need for help. As June Conway Beeby, the executive director of Ontario Friends of Schizophrenics, remarks, without treatment, schizophrenics' lives are filled with psychotic suffering and some are even killing themselves, urged on by their own voices.

I am aware that this requires a delicate balance. On one hand we have the rights of the patients, and on the other hand we have to keep individuals from harming themselves. Put simply, in my opinion, allowing a judge to order continued treatment for schizophrenics pending an appeal from the finding that he or she is not competent and in need of treatment is an encouraging step forward in the right direction. Furthermore, in the quest to protect the individual rights of these patients, the

question of treatment is subject to a judge's order and therefore the safeguards are over their rights.

The time limit under which a hearing should be held is designed to speed up a process. I feel that anything we can do that can speed up a process of government we should darn well be doing. More particularly, anything that we can do that can speed up a process where individuals can get help when they do not recognize particularly that they need help I think is a more important step in what I consider certainly the right direction.

Over the past few years, I have met with, as I have said, a number of my own constituents who are themselves concerned family members trying to assist their loved ones who suffer from schizophrenia. As one constituent so poignantly stated in her correspondence to me:

"Yes, patients have rights too, but too much emphasis is placed on the rights of the patients instead of the patient to live. And as these patients do not always have the mental capacity to make these decisions for themselves, it is up to society to take the responsibility and not leave them adrift."

I ask members of this House to reflect upon these words, written by someone who has lived through this experience.

With that in mind, I encourage members of this House to support this bill. I would respectfully leave the balance of time for some of my other colleagues.

Ms Oddie Munro: I am very pleased to be able to join in what I consider to be a very constructive and empathic discussion on the bill put forward by my colleague the member for Brampton South, an amendment to the Mental Health Act, Bill 173.

The bill makes a special case for schizophrenics and schizophrenia in how we deal with judgements of mental competence, how we deal with the necessity for provision of medical and other treatments and how we assist citizens of this province in continuing to deal with their disease and work towards competency and independence and quality of life, so I think it is a very important amendment.

I would like to say that it also puts a good deal of faith in the judiciary and in the ability of the judiciary to make sympathetic orders for treatment which will take into account all of the environment and all of the medical advocacy evidence which surrounds that in making that. If there is any way too in which we are able to in a sense educate the courts, if I might say that, this seems to be one of those kinds of amendments, so I support it from that point of view. I would think that the families and indeed the patients themselves would look to the judiciary as the body that would be able to balance both patient rights and civil rights and protection of society.

I thought it was very instructive to listen to the member for Brampton South go through some of the bills which have in fact amended the Mental Health Act and in particular Bill 190, which was passed in June 1987, giving review boards the authority to authorize treatment, but only for involuntary patients deemed mentally incompetent to make treatment decisions whose substitute has refused consent. Within the safeguards for patient rights in that bill was one which is directly relevant to the amendment we have before us, and that was that treatment may not proceed while a board decision is under appeal by the patient unless a court rules otherwise.

The whole question of judging and dealing with competency, and of course the flipside, incompetency, is fraught with a lot of complicated decisions, research evidence and of course the ability of the community and hospitals to try to do what is best for them and for the patient and families. Any designation of mental competency of course is a judgement against an in-

dividual and has far-reaching implications for both involuntary and voluntary patients.

In fact, one of the problems with the amendment that was put forward and then taken out of the last set of amendments to the Mental Health Act was the concern by interest groups that the power to determine competence is absolutely critical and that standards must be developed to make a determination.

I think we are all aware that the Weisstub inquiry, which was announced in April 1988 with a mandate to recommend standards for determining competency under the Mental Health Act, has been meeting, and I believe that report is before the minister. One of the concerns with the various groups, including the Friends of Schizophrenics, is that the mandate of that committee has moved to an overall investigation and evaluation with recommendations on mental competence in a wide variety of situations and that it may be the case that schizophrenics as a special case are not paid the attention they deserve. I am sure, however, in looking through the brief that was submitted to the Weisstub inquiry by the Ontario Friends of Schizophrenics, that this will be taken into account.

1140

I would like to quote from some of the statements made by the members of the Ontario Friends of Schizophrenics as they made their submission. I think it is worth while in this debate to just take a look at definitions of schizophrenia. We have already listened to some of the statistical evidence of the reality of schizophrenia, but it is a disorder of the brain and it is not simply a measure, and cannot be judged to be a measure, on an individual that he is mentally incompetent. In fact, schizophrenia is mainly an episodic disease and in many instances—I would like to think in most instance—schizophrenics can lead normal lives both with and without medication, and certainly with the support of caring individuals in the community and in the hospitals.

However, it is the case that sometimes schizophrenics, even with medication, will go into another one of their psychotic episodes, and it is at that point that we have to be able to make a judgement on the side of the safety and care of the patient. The brief by the Friends of Schizophrenics goes into details of hospitalization and mentions again the fact that the member for Brampton South has picked up; that is, the paradox that happens when schizophrenics who are responding to treatment in hospitals are released to the community and then become victims, often alienated from families and friends. Certainly some of those victims are people who we see sleeping in the neighbourhood of railway stations and other places where people are simply afraid to deal with their presenting behaviours.

When we take a look at community treatment of schizophrenics, I think it is absolutely important that we realize that certainly the law is part of how we define community and health treatment. In the case of this amendment, it makes a good deal of sense here for it to look to the judiciary to be able to give a treatment decision for an individual who is in need of that, so I would support the amendment from that point of view.

I know that some members of the Legislature talked about the question of the amendments to the Mental Health Act on the basis of individual rights, and I know that those arguments will go on. I am certainly very cognizant of them, but I would like to say that sometimes, as taken from the report from the Friends of Schizophrenics, they have said that it seems a paradox when we deny someone his physical liberty on the ground of mental illness and then delay treatment of the illness on libertarian grounds.

I hope that in many ways, after the judiciary is able to take a look at the precedence of its action on treatment notices on citizens, we will take this as being a more normal procedure and that in fact more fully fleshed-out and tougher amendments will come into the Mental Health Act. I understand that is what the minister is taking a look at.

Mr Wildman: I want to comment briefly on the amendment. I commend the member for bringing the matter forward before the House. This is a very difficult area.

I have had some constituents who are suffering from schizophrenic disorders, as I am sure most members of the House have had, and it is a very difficult area. Obviously for the family, it is difficult. They care for their family member but oftentimes we find that the individual, for whatever reasons, refuses to take the medication that is prescribed and as a result can suffer relapse or find himself or herself in a very difficult situation which may in fact be dangerous for him or her or for members of the family or neighbours.

The question is, how do you deal with this in a free society? How do we ensure that an individual is not forced into treatment that he does not wish to have, and how do we ensure that the individual is protected and that the members of the family are protected? It is a very difficult area.

I believe there should be some time limits on assessment. I believe, at the same time, we cannot have a situation where an individual is forced to take treatment when he or she believes it is not in his or her best interests, unless it can indeed be shown that the individual is dangerous to himself or herself or to others.

I commend the member for bringing the matter forward. It is a very difficult area. I hope that the debate in the House will help not only to suggest ways that we might deal with it but to highlight the problems faced by people suffering from mental disorders and the people who care for them.

The Speaker: Any other members wishing to participate? That completes the allotted time, other than the two minutes in response for the member for Brampton South.

Mr Callahan: I think I have five. I think my colleagues left me five, plus the two.

The Speaker: Order. I have had a shake of the head, no.

Mr Wildman: No what?

The Speaker: There are just your two minutes left. It says five but—

Mr Wildman: Well, Mr Speaker, there are five New Democratic minutes left, and I think if the member wants to use them, we would be happy to let him.

The Speaker: There are five minutes here and seven minutes there, but I am just upholding the standing orders that the members in general have put before the House and approved.

Mr Pouliot: We would be happy to acquiesce our five minutes in favour of the member for Brampton South.

The Speaker: Is there unanimous consent?

Agreed to.

Mr Callahan: I would like to thank my colleagues for speaking on this issue and I appreciate their support. I particularly was struck by the member for Riverdale and his sort of stark admission. I had not heard what he said before, but I commend him. He has great courage in doing that. I invite the

people who he may wish to bring to a committee in terms of the rights of individuals, because I think that is the only way we will get a real answer to this issue.

That is probably why the bill that I brought did not try to address any broader issue, because we really cannot do it in private members' hour. It really has to be done in committee. It would be my wish—and I realize this is somewhat tenuous in light of the fact that we are a week away from adjourning for the summer break—that this matter might be carried over and would eventually get to a committee, because I think it is very important that the parents of those people have their opportunity to raise some of the issues they have already raised in the report from the Friends of Schizophrenics.

They have talked about situations of a schizophrenic's parent being able to relate an experience to the admitting psychiatrist or to the justice of the peace or to the police officer to demonstrate that his loved one had already tried to commit suicide and he was therefore at greater risk than would be the case if it was a first admission.

It is a very difficult issue, and it is one of balancing the rights of the individual against the rights of those people who love the person, but they have sleepless nights in wondering where he is, what is going to happen to him, and then having to read in the newspaper that he has jumped off a bridge, or he has killed somebody, or he has been put in jail for a very serious crime.

I think we as legislators and society as a whole have an obligation to see that this can be rectified in the best possible way, again without infringing people's rights. We were able to come to that decision in terms of disallowing totally such procedures as psychosurgery or electric convulsive therapy. Those were considered by all members to be outrageous.

1150

But here we have a very special group, and if we are to help that special group, then we need the advice, the information and the input of the people who are suffering from the mental illness, as well as those people who laterally suffer. I think anybody in this House who has gone through the personal experience with a friend or in the constituency office has seen the anguish these people go through, the fact that they are hanging by a thread, worrying about their loved one and have no way of dealing with it, or very few effective ways to deal with it.

In addition to that, I would like to see the whole issue heightened so that the question of investigation into a cure of this dreaded disease can be found. There have been tremendous breakthroughs in terms of chromosomal locations of this particular aberration, but because of the lack of funding and because it does not have the same sexiness, I guess, as diseases such as heart disease, cancer and so on, it does not get the high profile from either private donations or public donations.

I think it is sad to realize—members should just think about it: If Dr Salk had had the same problem with polio vaccine and it was not a heightened issue and people did not want to have a cure for it, the dollars would not have been poured into it and we would have run around watching people become totally disabled as a result of getting polio. Surely to God this is as big a deformity of the minds of individuals who, if they could be cured by reason of increased research and also more sympathetic and perhaps more workable rules passed by this Legislature, then in fact we would have saved those individuals from being paralysed in terms of their minds.

I urge all members to really see that this issue is in fact put on a high profile, that it is something where the press will take

it and run with it, because the press itself sometimes creates its own issues, and it supports, perhaps, the wrong ones. Here is an opportunity for it to help people, to help those 200,000 or 250,000 Canadians who do not have the full opportunity to live their lives in total serenity, the people who we see wandering the streets of Toronto, who appear to us to be the homeless by design. They are not the homeless by design; that is because of their illness, in many cases. The people in our prisons are there not because they are criminal people, but because they are sick. I hope this issue will become a high-profile one and perhaps will be carried over to the next session of the Legislature so that it can in fact be reviewed totally in committee.

The Speaker: Those were five minutes allowed you by the official opposition. There are still seven minutes remaining from the Conservative Party. I do not know whether you have any further comments. You still have the two minutes. There is no offer? Fine. I will recognize the member for Brampton South for his final two minutes.

Mr Callahan: I would like to make my final comments by thanking every member of this House who spoke and those who are going to support this bill. It is a difficult one. I remember when I was talking about preparing this bill and looking for a way to do it. I was told that by doing it, I would have all sorts of groups that would be concerned in one way or another, either as a result of feeling that their rights were being infringed—I welcome them before the committee because I think in that way we are going to demonstrate, hopefully to them, that the best safeguard and the best way of securing freedom for these people who are actually trapped in a mental illness that does have some possibility of success, that does have some track record in terms of investigating a cure—that in fact we can show them that these people can lead productive lives, that we can in fact marshal the public opinion that will call out for contributions from the private sector as well as the public sector to look into a cure for this dreaded disease.

I suppose it is also going to heighten the fact that you may be sitting next to someone in this House, you may be sitting next to someone on a streetcar or in church who may very well have a loved one who has schizophrenia, considering that one out of 100 suffer from this dreaded disease. Those are the silent sufferers, as well as their parents. We have to deal with that.

Again, I cannot say enough that I really want to thank my colleagues. They have approached it, they have expressed their views. I appreciate their views and I look forward to this getting to committee, where we can share the views of the citizens of Ontario and hopefully come up with a solution that will meet the test of the civil liberties people and, as well, address the cares and concerns of those mothers and fathers who lie awake

at night wondering where their loved one is, whether he or she is destroying himself or herself or perhaps causing other people grief.

The Speaker: That completes the discussion and debate on ballot items 55 and 56. Our standing orders say that I shall put the questions at 12 of the clock. Do you wish to wait until 12? Yes? I cannot get unanimous consent. Okay, we will wait until 12.

EMPLOYMENT EQUITY ACT, 1990

The Speaker: Mr B. Rae has moved second reading of Bill 172.

Motion agreed to.

The Speaker: That bill will go to committee of the whole House.

Mr B. Rae: I would ask that the bill be referred to the standing committee on resources development.

The Speaker: The standing orders state that it shall go to committee of the whole House unless a majority wishes it to go to a certain standing committee. Usually I ask all those in favour to rise, but it sounds as if there is unanimous consent and agreement.

Agreed to.

Bill ordered for the standing committee on resources development.

MENTAL HEALTH AMENDMENT ACT, 1990

The Speaker: Mr Callahan has moved second reading of Bill 173.

Motion agreed to.

The Speaker: That bill will go to committee of the whole House.

Mr Callahan: I move that it go to the standing committee on social development.

The Speaker: The member has requested that it be sent out to the social development committee. Is there complete agreement?

Agreed to.

Bill ordered for the standing committee on social development.

The House recessed at 1202.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

EDUCATION OF HEARING-IMPAIRED

Mr R. F. Johnston: It should come as no surprise that the deaf community and the hearing-impaired community across the province are extremely disappointed with the half steps or quarter measures that were taken yesterday by the government in response to the review of deaf education, so much so that a group of deaf parents in London have occupied the Premier's constituency office to state their displeasure about the government's not having gone further.

It is not just that a lot of the measures were not dealt with in the report; it is also the fact that the government did not even move on the heritage language recognition of American sign language, let alone the recognition in Bill 112 that I presented to this House for American sign language as the language of instruction. As well, the hearing-impaired wanted a few minor concessions to get extra services for children, and have been arguing for some time that the 70-decibel cutoff that is in regulations is unrealistic. Again, there is no mention of a move in that area, so none of the elements of the community involved is happy today.

The minister and the government should know that there is unanimity around two proposed small amendments to Bill 112 which would make the entire hearing-impaired/deaf continuum in the province happy with that bill and it would be prepared to see this go through in very short order. The government could recoup the bad message it has sent out to these people if in fact it would just accept those amendments and bring in the principles of Bill 112 as early as possible.

AGRICULTURAL INDUSTRY

Mr Villeneuve: The Liberal government still has no clear, long-term plan to assist a faltering agricultural industry. For starters, agriculture's share of the provincial budget has fallen for the third year in a row, to slightly more than 1% of the entire Ontario budget. Instead of planting a healthy future, as the Federation of Agriculture has envisioned, the Liberals have ensured that they will provide no help to agriculture.

The 1990 budget has only short-term initiatives for agriculture. For instance, \$48 million of interest rate relief is a one-time allocation. The Minister of Agriculture and Food could not negotiate an equal amount from the federal government, so he is stalling on the release of both payments until an election is called. That is pretty typical.

With decreasing cash receipts, increasing operating costs and a prime interest rate at near-historic heights, finance and credit issues are of primary importance to farmers. The farm tax rebate program is still in limbo. The Liberal government unilaterally cut \$27 million from this program last year without even consulting the farming community. By income-testing and property taxes, the Liberals turned the program into an income subsidy program instead of a tax equity program, which is what it was intended to be and should remain.

This government clearly is not helping Ontario's agriculture.

SKILLS TRAINING

Mr Owen: Last year, our Ministry of Skills Development provided seed funding of \$100,000 to the Barrie and District Training Council and its partners for the development of the Skills Canada organization in Ontario. Since that time, the Skills Canada organization has been growing at an impressive pace.

The organization is a partnership of business, industry and education committed to encouraging and supporting students in secondary schools and colleges to achieve excellence in technical skills. By April of this year, there were 1,312 Skills Canada student members from 82 high schools and 116 students attending nine community colleges. Fifteen boards of education across the province as well as more than 35 businesses are participating to make Skills Canada a success in Ontario.

Key elements in Skills Canada include adopt-a-shop, apprenticeship programs, employment networking, professional development programs, leadership conferences, technical skills awareness events and skills competitions. Skills competitions provide an opportunity for students to demonstrate the excellence of their technical abilities, pitting their skills against their peers at all levels. Top Canadian achievers compete at the United States Skills Olympics, which are being held this year in Tulsa, Oklahoma 25 June to 1 July.

This is an extremely worthwhile program, one that all members of this House should encourage in their own constituencies.

BUDGET

Mr Allen: Today is Return to Sender Day at Queen's Park. Services and agencies that deal with the poor in Ontario, and particularly in Toronto, are sending back the budget to the Ontario Treasurer who, as they view it, sold out the poor in his 1990 budget. In four critical areas—housing, social assistance, child care and minimum wage—the latest budget has done little or nothing for the more than one million people, including 330,000 children, across Ontario who are forced to live in poverty.

These organizations—more than two dozen organizations and social agencies—are today holding a day of protest against that budget from 8 am to 4 pm on the south lawn of the Ontario Legislature. Speakers, performers on the main stage, soup kitchens, food banks, legal services and other services for low-income people have transferred their operations to Queen's Park for all of one day. The event is a user-friendly shutdown of poverty services by bringing the poor to the doorstep of the Legislature. Organizers are determined to end the silence on poverty and demand that the poor live in dignity.

The day will end with a march by the participants to the office of the Treasurer to present a budget pie and a postcard showing the true priorities of the people of Ontario. I appeal to the Treasurer, to the entire government, to listen and rework all the parts of the budget that touch the poor—and that is most of it.

HUMAN RIGHTS CODE

Mrs Marland: Tomorrow marks two important anniversaries for Ontario. On 15 June 1962 the first Ontario Human Rights Code was enacted, and on the same date in 1982 an updated code was established.

When the code was introduced by the Progressive Conservative government of John Robarts, Ontario was the first jurisdiction in Canada to enact a comprehensive human rights code. The original code guaranteed equality on the basis of race, colour, nationality, ancestry and place of origin.

In the 1970s, social pressures resulting from increased immigration made it apparent that amendments to the code were needed. As a result, the Bill Davis government broadened the code's mandate. The revised Human Rights Code of 1982 guarantees equality on the basis of ancestry, sex, age, marital status, family status, handicap, receipt of public assistance and record of offences.

In Ontario we tend to take human rights for granted, but oppressive regimes still abuse human rights in many areas of the world. Just a few days ago we marked the anniversary of the tragic slaughter of student protesters in Tiananmen Square, and in South Africa, the majority of the population is still disfranchised by reason of skin colour.

On this date, we should reflect on our great fortune to live where human rights are generally respected. We must also consider the cases of human rights abuse which still exist here and do everything possible to ensure that the Human Rights Code governs all conduct in Ontario.

CITY OF MISSISSAUGA

Mr Mahoney: I would like to bring to the attention of the House the recent release of the city of Mississauga's 1989 annual report.

Mississauga was incorporated as a city only 15 years ago and yet we rate today as one of the country's largest cities.

In the April publication of Business and Finance in Ontario, the focus was on Mississauga, and it was entitled *How to Build a Perfect City*. John Fergus, the publisher and editor stated, "The city of Mississauga is a textbook example of the awards accrued when vision and careful planning are the signatures of both the private sector and municipal officials."

In the annual report, it is estimated that by the year 2001, the city's population will be 710,000 people. The benefits of the aforementioned vision and careful planning by the city will certainly be seen by residents and businesses alike.

Another progressive planning step is taking place now as the city develops its waterfront plan to ensure that environmental concerns are addressed, and yet provide accessibility for both residents and visitors.

The city has always been a leader in the area of recycling, but with the active participation of the city's residents, the apartment and condominium recycling program reached 13,000 units recently.

Mississauga also received the 1988-89 Outstanding Municipality Award from the Recycling Council of Ontario, which was awarded for the city's leadership in recycling and waste management.

I congratulate the city, the mayor and members of council on these initiatives.

1340

FOREST MANAGEMENT

Mr Laughren: In the last week or so, I have asked the Minister of Natural Resources two questions. One had to do with the regeneration of our forests and the other had to do with the herbicide spraying in our forests. It seems to me that both are terribly important issues of public policy in the province of Ontario.

On the matter of regeneration, I asked the minister how it would be that E. B. Eddy Forest Products would be short one million seedlings that it wanted to plant and which the ministry would not provide under the forest management agreement. The minister knew absolutely nothing about it. To her credit, she admitted she did not know anything about it, but instead replied with a lot of gobbledegook.

The second question I asked her had to do with herbicide spraying in our forests. I asked the minister, one, what she was doing to reduce the dependence on herbicides and, two, what proportion of the tending that is done in our forests is done by herbicides as opposed to manual tending.

The minister did not know the answer to that either. It seems to me that two of the most important issues in forestry all across Ontario are the degree to which we regenerate the forests we cut and to what extent we depend on spraying of either herbicides or pesticides in order to control the growth of competition for the trees that we want to see growing to maturity. In both cases the minister was found wanting. In both cases the minister did not know the answers and, to my knowledge, has made no attempt to find out the answers.

CONSTITUTIONAL ACCORD

Mr Cousens: I speak today on behalf of the constituents of Markham and as a provincial legislator and one who has empathy and respect for the sincerity and courage shown by Premier Clyde Wells of Newfoundland.

During this critical time in our nationhood, we have seen various degrees of leadership by the participants of the Meech Lake process. Many residents of my community are saying that no one has displayed as much integrity and honesty as the Premier of Newfoundland. His ability to rise above partisan pressures and to articulate intelligently his concerns with not only the accord itself but also the process has earned him the respect of many Canadians.

As a provincial legislator and a proud Canadian, I commend Mr Wells for his dedication to the citizens of Newfoundland and for his love of Canada. I fully support the premiers and the Prime Minister of Canada in their attempt to ratify the constitutional accord.

The people of Ontario also want a voice in national affairs. There is an important lesson to be learned from the Meech Lake process. Why does the Ontario government not open up the Queen's Park phone lines across the province after 4 pm on Friday and over the weekend to give our citizens the opportunity to react to what the Premier has done, and seek the public's counsel on what Ontario should do with the amending resolution? The Ontario public cares deeply about our role in Canada's future; no one should be excluded from this process.

NATURAL GAS SUPPLY

Mr Tatham: Canada is self-sufficient in uranium, gas and electricity, although smaller quantities of the latter two are imported essentially for convenience. About a third of the country's crude oil requirements is imported, mostly in Quebec and further east. About a fifth of the country's coal demand is imported.

Natural gas was first discovered in Canada near Niagara Falls in 1794. We have come a long way. Until today, according to Statistics Canada, Canada's proven and probable natural gas reserves total more than 95 trillion cubic feet.

As well as being a reasonably priced fuel, natural gas is a clean fuel. When natural gas burns, it emits only water vapour

and carbon dioxide. Natural gas heating in our homes helps reduce acid rain and air pollution.

Natural gas, as an abundant, clean-burning fuel, should have a promising future. To encourage future natural gas sales, we need pipeline access. I believe we should make sure that Ontario citizens have access to a continuing supply of natural gas. We should also establish a policy to pursue an active campaign to have all municipalities, where possible, connected into a network of natural gas pipelines.

ORAL QUESTIONS

SOCIAL ASSISTANCE

Mr B. Rae: In the absence of anyone else, I will have to ask my question of the Minister of Community and Social Services.

On the basis of either a family of three working at or around the minimum wage or a family of three receiving social assistance, I wonder whether the minister can explain, when we take housing costs into account, how a family is supposed to be able to eat when the Department of Agriculture has just come up with a very interesting study showing that a family of three living in Toronto needs at least \$350 per month for food alone.

I remind the minister that the average rental costs in the city are upwards of \$1,400, that a cheap rent would be \$1,200 or \$1,000, according to the most recent statistics, and that nowhere near minimum wage or social assistance would allow you to provide even for housing.

The Speaker: The question?

Mr B. Rae: Does the minister not understand that people are having to choose between clothing and food and housing in order to get by every month?

Hon Mr Beer: Certainly I think everyone recognizes that food costs, shelter costs, particularly for single parents, those who are at minimum wage or those who are on social assistance, are very difficult. That is why we took the various steps that we did last year to begin to address those issues, to increase the rates for shelter and basic food and clothing and to make other changes with respect to children's benefits as well.

When we look at the amounts that individuals receive, it is going to vary as well from community to community, but we have had examples, through the social planning council study on the impact of our shelter costs and the impact of the basic rates change, of some positive signs of helping directly families on social assistance.

There is still much that needs to be done, but I think the direction that we are going is the correct one and that we are seeing beneficial changes for those individuals and those families.

Mr B. Rae: Let's follow this arithmetic, the basic arithmetic of daily life for hundreds of thousands of people in the province. Back in 1975, a person who worked at the minimum wage would have had to work for 50 hours a week in order to be living at the poverty line. At the poverty level in Ontario then, 50 hours a week on the minimum wage could get you up to the poverty line.

Today, a working person would have to work 87 hours a week on the minimum wage in order to get up to the poverty line. That is how bad the gap has become. That is how wide the gap has grown between those who are working, for example, in contracts for collective agreements and those who are having to rely on the minimum wage as the only union they really have.

The Speaker: Your question?

Mr B. Rae: Can the minister tell us why it is the government of Ontario has, as a matter of deliberate policy, allowed the minimum wage to fall so far behind that somebody would have to work nearly 90 hours a week in order to get to the poverty line?

Hon Mr Beer: In answer to the honourable member, it is important to note that there are, in my view, three basic ways that we try to assist those who are on social assistance or at the lower end of the wage scale. Clearly minimum wage is one, the second is to improve social assistance benefits and the third one is in relation to the whole question of taxes for those at the lower end of the income scale.

On the social assistance side, we have made some great progress in the last year. The Treasurer announced further cuts on the income tax side, and at that point he indicated that we would be discussing the issue of minimum wage and that there would be a statement later in the session.

When we look at the minimum wage, clearly that is an area where we recognize there is importance, and we will be taking steps with respect to that in due course.

1350

Mr B. Rae: The people who are outside have asked me to present to the Premier a copy of the budget, and it has "Return to Sender" on it. Since the Premier is not here, I would ask that the minister receive the budget because it does so much for people who are well off, so much for corporations, a \$140 million tax write-off for corporations in addition to the billions in taxes they now refuse to pay or do not have to pay because of the way the system operates.

I would like to ask the minister again this simple question on the question of the minimum wage: Can he tell us why in the budget, for example, corporations got a tax write-off of \$141 million? That was upfront money. They did not have to wait around for that. But in fact working people are now being told, "You are going to have to wait at the back of the line," when we know they are going to have to work 90 hours a week in order to get up to the poverty line in the province.

Hon Mr Beer: I think what I would like to remind the honourable member is that we started the most innovative reform of social assistance in this province last year, with changes in the basic rates, with changes such as the support to employment program that has seen a clear increase in the number of people on social assistance with greater earnings than ever before. We can do that month over month over the last year.

I also indicated clearly to the honourable member, as was indicated at the time of the budget, that the government would be addressing the issue of the minimum wage. The Minister of Labour has been carrying on discussions about that and we will be making a move on that. We quite recognize the importance of the minimum wage as part of the overall package of initiatives that the government can take to help both those on social assistance and those who are at the lower end of the income scale.

I think that when you look at what we have been able to do over the last number of years and compare it with any other jurisdiction in North America, what we have done is progressive and moving definitely in the right direction to help those at the lower end of the income scale.

EMPLOYMENT EQUITY

Mr B. Rae: I have a question to the Minister of Citizenship. The minister will no doubt be aware that in his absence today, and indeed in the absence of the entire Liberal cabinet at private members' hour this morning, the House adopted for second reading a private member's bill standing in my name, Bill 172, An Act to provide for Employment Equity for Women, People with Disabilities, Native People and Members of Visible Minorities.

The minister will understand that employment equity has been endorsed most recently by the advisory committee to the government on the disabled. It has also been endorsed by the committee that studied poverty across the province, saying that unless you had employment equity opportunities and jobs for people instead of welfare, and a chance to work for people instead of welfare, we will never deal with the poverty crunch and the poverty crisis in the province.

I want to ask the minister this question: We showed him where we want to go. We showed him what we think needs to be done and we have offered it for debate and discussion in this House to become a law. We are not even the government. When is the minister going to produce his?

Hon Mr Wong: I welcome the initiatives that were taken by the honourable member in his private member's bill today. It is a very complex subject and we welcome any suggestions that might come up.

Let me remind the honourable member once again that the government has moved in terms of the 88,000 employees of the Ontario Public Service, has taken initiatives that are currently being introduced to Bill 107, the Police Services Act, which focus on mandatory employment equity initiatives. The Ontario women's directorate has a fund that helps employment equity for women, particularly in the broader public sector, not to mention initiatives that my colleague the Minister of Education has taken.

As I have mentioned to the honourable member before, I am working diligently through the cabinet process with my colleagues on broader employment equity initiatives to cover the broader public sector and the private sector of Ontario.

Mr B. Rae: The government's definition of employment equity is to serve canapés and cocktails over in the Liberal caucus room. I can hardly get to my office for all the people who are being invited to parties over there. That is all they are doing, receptions, parties and plaques from the member for Parkdale. That is what it amounts to, receptions, parties and plaques. I am asking the minister for laws. I want to ask the minister, when are we finally going to see some legislation that is going to deal with this issue? When are we going to see it?

Hon Mr Wong: Let me say once again that the process of talking to approximately 100 different groups within the province of Ontario, to determine exactly what shape the employment equity initiative should take, was completed. The government is currently going through the cabinet committee process. I would say that as soon as possible we would love to introduce our employment equity initiatives.

Mr B. Rae: I would be the last one to stop the minister from doing what he would love to do. What I would like to ask the minister, though, is the following. He promised us this legislation in 1985. His party promised it in 1983 when it was in opposition. They promised it in 1984, they promised it in 1985 when they became the government, they promised it in 1986, they promised it in 1987, they promised it in 1988, they

promised it in 1989, and now he is promising that there is nothing he would rather love to do than to bring in this legislation. I would like to ask the minister, what is the force that is stopping him from doing what his party has said it wants to do for the last seven years? What is stopping him?

Hon Mr Wong: Again let me repeat that the government has shown its performance in these other sectors of the government. It will just be a matter of time before we are in a position to take it through the cabinet committee process to the cabinet in order to be able to present the employment equity initiatives.

HOSPITAL SERVICES

Mr Eves: I have a question of the Minister of Health. I presume that the Minister of Health is aware that last evening the medical advisory committee for the Hospital for Sick Children advised the board of directors of that hospital that the ICU should be closed permanently for all cases of elective surgery at the Hospital for Sick Children. This includes cardiovascular surgery, cranial surgery, major back surgery, neurosurgery and includes elective surgery cases surrounding trauma incidents.

This week alone 11 elective cases of cardiovascular surgery at the Hospital for Sick Children have been cancelled, 11 out of 11. One patient has been transferred to Montreal today. Another patient is being transferred to Detroit tomorrow. Is this the way the minister thinks the health care system in the province of Ontario should be run?

Hon Mrs Caplan: I can tell the member opposite that I am not familiar with the advice that the medical advisory committee gave to the board of the Sick Children's Hospital. The Sick Children's Hospital board has accountability and responsibility for the running of that hospital. I can assure the member that I will look into this matter and speak to the board chairman to determine what would be the basis for their advice.

Mr Eves: We already know the basis for their advice: a lack of ICU nurses at that hospital. That matter was brought to the minister's attention by myself in this House on 12 April, on 16 April, and on 23 April of this year. This question has been asked of the minister many times. She is well acquainted with Dr Salerno's internal review of the Hospital for Sick Children, which was an independent review. His conclusion was that there was a shortage of ICU nurses at the Hospital for Sick Children, and now the medical advisory committee sees that it has no alternative but to close that unit permanently to all cases of elective surgery for children at the Hospital for Sick Children in this province.

The hospital made a request of the Ministry of Health on 7 April for extra funding for ICU nurses. They expected a reply within three weeks. It is now June and it looks as if they are going to be faced with closing that unit permanently. Is the minister going to give them the extra money they need for ICU nurses at the hospital?

Hon Mrs Caplan: I met with the board chairman of the Hospital for Sick Children and some of its members, including its chief executive officer. I am confident that in fact we are working with them to ensure that we assist them in areas that are appropriate for the ministry.

I can tell him that he knows the Hospital for Sick Children is a transfer payment agency of the ministry. They have some very special and unique services that they offer, but they are one of a number of children's hospitals across the province. Many referrals come to the Sick Children's Hospital that can be

appropriately provided in other children's hospitals. That is the reason we established a paediatric cardiovascular network so the children will be able to receive the services that they need when they need them.

I can assure the member that in the area of expertise, the Hospital for Sick Children in Toronto will continue to provide the kinds of appropriate services and that it is working closely with other children's hospitals across this province.

1400

Mr Eves: The minister has not listened to a thing I have just said. The medical advisory committee of the hospital is telling the minister that it cannot provide those services because she will not give it the money.

Is the minister aware of the fact that the trauma program for elective surgery at the hospital has been closed 48% of the time since 1 January this year because of a shortage of ICU nurses at that hospital? Is the minister aware of that fact? If she was not, I hope she is now. What is she going to do to provide the money, as she said she provides, to the Hospital for Sick Children so it can hire more nurses so that children can get their surgery here instead of going to Montreal, Detroit and all other places across the globe?

The Speaker: Thank you. You have asked the question. You do not have to explain why.

Hon Mrs Caplan: The member opposite is not fairly portraying the situation at all. The Hospital for Sick Children in fact is a trauma centre. They have had an usually high number of trauma cases and they expect to be back to normal very shortly. I want him to know that they are working with other children's hospitals to make sure that children who require surgery on an elective basis can receive that surgery in the most appropriate location. In the meantime, I want him to know that we are working with the hospital to make sure that services are available to the children in this province when they need them.

NON-PROFIT HOUSING

Mr Brandt: My question is for the Minister of Housing. As the minister is aware, the government of Ontario has announced that it will in fact be spending some \$3 billion over the next three years to construct some 30,000 affordable housing units, non-profit housing units in the province of Ontario. After some 35 years the mortgages on these particular properties will have been paid off. I wonder if the minister could share with the House who the owners of those properties are going to be after those rather heavily subsidized units have been paid for by the government.

Hon Mr Sweeney: As the honourable member would be aware, that actual situation is a number of years down the line. We, I think, share the same concern that he is raising and we are prepared to make some changes to the Corporations Act whereby that non-profit co-op corporation would not be able to change its status from non-profit to profit. It would have to remain as a non-profit co-op corporation in perpetuity. We must make a change, as I understand from my staff, to the existing Corporations Act in order to ensure that, but we have quite a bit of time to do it.

Mr Brandt: I am pleased that the minister is looking at some options because our party does not believe in public housing for the rich. There are people who are earning, in family income, over \$100,000 who are getting subsidized in co-op housing units. After 35 years those people will be able to flip

those properties and make a private profit on the backs of tired taxpayers, who have been subsidizing those units over a long number of years.

The minister's subsidy program alone, it is estimated—just to pay for some of the shortfall in what he is gaining by way of income from revenues from these properties and what he is paying out—in addition to the \$3 billion will be some \$300 million. I might add that is a very conservative figure on an annualized basis. It just does not make sense to us that a \$35,000- or \$40,000-a-year income earner should be subsidizing housing for a \$100,000 plus per year income earner. Is the minister prepared to stop that kind of nonsense, and quickly?

Hon Mr Sweeney: I believe I know the particular tenant the honourable member is referring to. I would draw to his attention that the co-op association in this metropolitan area, when informed of that, themselves said that this is truly an exceptional situation. You have to go back to when the people involved first moved in to understand the changes that have taken place.

There is no doubt about it that this is not an appropriate situation, but let me remind my friend that the purpose of non-profit housing is to get a mix of incomes. As the member knows, the Ontario Housing Corporation deals only with the very lowest of incomes. The sense from the tenants of Ontario Housing was that it is far better if we have a mix.

My friend will be aware that at least 70% of the tenants in non-profit housing, whether it is co-op or not, are those in what we call rent geared to income where they pay 25%. The other 30% are on average people who are paying market rents. In other words, they are paying the same rent for that unit that the unit would command in the general open market. It is true that we are paying a subsidy for everybody, but the particular situation the member has described is most exceptional and is not appropriate.

Mr Brandt: The minister cannot with any certainty make that last statement. He knows full well that the list with respect to the financial status of some of those residents is not available to him, is not available for public consumption to anyone. So the fact of the matter is there are all kinds of people—I am prepared to go on record as making this accusation today in this House—that there are many people who are earning very large incomes who are working the system to take advantage of the taxpayers who are subsidizing their housing. It is wrong for people of low and moderate income to have to pay more taxes in an already overburdened tax system in order to subsidize the rich. Is the minister prepared to look into it and stop it, because it is wrong?

Hon Mr Sweeney: I would remind my friend once more that the people of upper income pay full market rent and it is possible in some situations—

Mr Brandt: So \$1,100 is full market rent?

Hon Mr Sweeney: If that is the comparable market rent, yes, that is what they pay.

It is possible in some situations that the market in a particular community would be lower than the economic rent for that building, that is true, in which case there would be a subsidy involved. I accept the pronouncements of the co-op community that in fact the situation the member described is most unusual.

He is right: I do not have the list. I would be quite prepared to request from the co-op community some indication of the range of incomes that people are paying. I do not have it at the

present time. They do have it. They have indicated it is an exceptional situation. Until I have information otherwise, I am prepared to accept their word.

VISITOR

The Speaker: Just before I recognize the next questioner, I wonder if the House would give me permission to name a former member, Edward Sargent.

CHILD CARE

Mr Allen: To the Minister of Community and Social Services: The minister knows that the couple of dozen agencies that are out front today bringing the budget back to the government work very closely with the largest single group of poor, either on social assistance or among the poor generally, namely, single parents and their children. The minister a year ago identified, as one of the critical elements necessary for them to move off social assistance into self-support and independence, the necessity of an active and aggressive program to supply day care spaces and day care facilities.

I want to ask the minister, therefore, why it is that this year's announcement with respect to child care cuts the pace of development in this province by half, currently leaves 61,000 families in Metro alone on the waiting lists and provides almost no money for startup spaces for new child care facilities in this province.

Hon Mr Beer: As the honourable member is aware, this year we have put some \$20 million into the system: \$10 million that is to be used to assist those municipalities that were having real problems in stabilizing the existing situation and then a further \$10 million that would add some 3,200 spaces to that system. We quite recognize, as I said at the time when I was speaking to the Ontario Coalition for Better Child Care, that we would have liked, and it was our intent, to have done much more than that in our next phase.

Unfortunately, what we were faced with was a \$160-million cut under the Canada assistance plan which affected virtually everything we did. We believe that we have been able to keep the process moving, that we are going to be able to meet a number of needs, but we quite recognize that there still is a need out there and that we have to put our money to help those who are most in need.

1410

Mr Allen: It is very interesting that this government, although it continually refers to the cuts in the CAP program from the federal government being a major problem, has never joined the other provinces in taking the federal government to court on it. They announced a \$600-million surplus last year, and yet they have already turned down \$10 million in capital requests for startup funding in Metropolitan Toronto alone. Just this morning, I learned of 21 further proposals that have been rejected in terms of day care development programs, one of them at the Queen Elizabeth Hospital, for example. Although they had spent several thousands of dollars in developing a project to provide workplace day care for their children, spent many, many hours in developing the idea and almost had the shovel in the ground, they got turned down.

Everyone knows that the provision of early childhood education and child care spaces has incredible repercussions all down the whole poverty front and the accessing and necessity of social services of all kinds from education to corrections in subsequent years. Why is this minister not actively increasing

the provision of child care spaces rather than cutting back the pace of development in this province?

Hon Mr Beer: First of all, I would say that we are very much involved in the court case in British Columbia, and indeed Ontario was the first to announce after British Columbia moved, after the province referred the question, to state that we would be there. We have been participating.

I would also say to the honourable member that when you look at the record of the government over the last three or four years, what you see is an increase in funding from some \$89 million to just under \$400 million. Indeed, the amount of money in child care that is going into Metropolitan Toronto is greater than the amount that the whole province was receiving just four or five years ago. We recognize that there is a tremendous demand.

I am not aware of the particular case the member has referred to. I will look into that.

I would say that we are at the present time dealing with specific areas in Metropolitan Toronto to see how we can in fact continue to ensure that the existing programs go forward, that nothing will be cut and to what extent we can increase. But I would have to say that until the federal government returns to the table, it is very difficult for us to make long-term plans and to continue to grow at the rate we have been growing over the last number of years.

Mrs Cunningham: My question is also to the Minister of Community and Social Services and is on the same topic as the question of my colleague the member for Hamilton West. The subject is child care.

The minister is very much aware, of course, of his own child care paper and his promises of 1985 and again of 1987, this very popular document out there with parents and day care providers, *New Directions for Child Care*. I asked this question about 18 months ago to his predecessor, and it has to do with private home day care.

The Day Nurseries Act is restrictive with respect to the number of children who can be cared for in a private home day care. Specifically, Ontario regulation 760/83, section 56, stipulates that the number of children who can be cared for in a private home cannot exceed five. We are looking for ways of providing child care that are efficient, accessible and quality. This is the way to do it. My colleague would agree that there are lots of opportunities out there.

School-aged children—

The Speaker: And the question.

Mrs Cunningham: —require a different kind of care, and this is an opportunity in private homes. The minister's predecessor stated that he would review—

The Speaker: Order. Really, it is not statement time. Would you place your question?

Mrs Cunningham: My question to the minister is, can he tell the House what kind of progress he has made, considering it has been 18 months since I asked this same question?

Hon Mr Beer: There are two issues I would want to remind the honourable member about. One of them deals with the fundamental issue around safety, which she herself has also raised on a number of occasions and where we have been very concerned to ensure the safety of children in day care, whether in a school setting, in a municipal centre or in a private home. One of the issues has been around how many people can be in the private home day care setting and what kind of inspection

procedures and so on we should have in place so that the public can be confident that children in those homes will be safe. That has been at the basis of our concern.

In terms of new legislation, we are addressing a number of issues, including how we can expand the range of options and choices, because we know that 80% of those using day care are in fact using day care in private homes or in neighbourhoods. We are also looking at the after-school component of that. I would also have to say that in any expansion of the program we believe that to do what needs to be done and to really get the choice there, we are going to need the federal government to come back to the table so that we can go together and go forward in a partnership.

Mrs Cunningham: I was listening carefully to the minister, and I would suggest that the regulations in Ontario are somewhat restrictive on their own. That was admitted by the minister's predecessor. I think he should also know that his best advisers out there in the government are saying there should be changes in this regulation. He did in fact promise a new child care act. In the last two campaigns that has been the government's promise. I think he also stated that this new act would be developed through a public consultative process. He cannot begin to change the act without the process. We have not heard about this process. The discussion paper was to be released in 1988-89. When can we expect this public consultative process around a paper that was to be released in 1988-89 and that we are all waiting for?

Hon Mr Beer: We have indeed been working on that paper and there will be a full consultative process around the new act. Again, I would have to remind the honourable member that we were proceeding from 1987 with a certain series of assumptions, one of which was that there would be a federal child care act, that there would be federal child care policies with which we were going to be working in order to expand and develop the whole process. We have had to change that because that clearly has not happened or may not happen. That has changed the nature of the document, but we are proceeding with it. We are proceeding with developing new legislation and all of that will be out for public consultation.

HYDRO RATES

Mr Mahoney: My question is to the Minister of Energy. Over the past month I have received many calls, both from constituents in my riding as well as from Mississauga Hydro, regarding the addition of a debt guarantee fee to local hydro operations in their cost of purchasing hydro from Ontario Hydro. As I am sure the minister is aware, this increased cost to the local operations is in turn reflected back on to the consumers' hydro bill. In Mississauga the debt guarantee fee adds \$5.5 million to the local bill and adds 2.2% to the cost of hydro alone. Can the minister clarify to this Legislature the basis for this debt guarantee fee?

Hon Mrs McLeod: The debt guarantee fee was introduced by the government in May 1989. It is a fee which is essentially a charge to Hydro reflecting the debt guarantee and also reflecting services that are provided to Ontario Hydro by the government, such as borrowing on Hydro's behalf. The fee is something which was recommended by the Ontario Energy Board in each of the two previous years before the fee was introduced. The debt guarantee fee and the way in which it has been implemented are consistent with the Ontario Energy Board's recommendations to us.

Mr Mahoney: Given Hydro's mandate to deliver hydro services to the residents of Ontario as inexpensively as possible and on a cost pass-through basis, can the minister assure members in this Legislature that a regular review will be conducted on both the rate of hydro increases and the amount that Hydro proposes to recover the debt guarantee fee costs?

Hon Mrs McLeod: I can assure the honourable member that there is a regular review that is carried out, on an annual basis in fact, of the proposals that Hydro has for rate increases. It is of course a decision of the Ontario Hydro board of directors as to how the debt guarantee fee will be incorporated in the annual rates. But those rate proposals are then reviewed by the Ontario Energy Board each year.

1420

WATER QUALITY

Mrs Grier: My question is for the Minister of Health. The minister, I am sure, is aware that I have on a number of occasions raised the concerns of citizens of Wallaceburg and Walpole Island about the harm that may be done to their health because their drinking water comes from the St Clair River. Last November, the birth of several babies with birth defects increased that concern. Under the Freedom of Information and Protection of Privacy Act, citizens asked the Ministry of Health to release a report that had been done on the relationship between birth defects and drinking water. An official in the minister's department replied to the group by saying:

"The Ministry of Health has concerns about the information contained in this report. Specifically, the ministry has reservations about the methodology and conclusions of the report. Until such time as a review is complete, the ministry will not take responsibility for the information contained in this report."

Can the minister tell the House whether her position on this epidemiological report has changed and, if so, will she now release the report?

Hon Mrs Caplan: I am very familiar with this issue, and the member opposite knows my commitment, as Minister of Health, to ensuring that the people of this province have the information they need as well as ensuring the quality of our water. Even though that is the responsibility of the Ministry of the Environment, the Ministry of Health is there to support the efforts of the Ministry of the Environment to ensure that the people of this province can have confidence, as they do.

In response to her specific question, I can tell the member that the ministry expects to complete its review of this report shortly. The Ministry of Health and the Ministry of the Environment followed this study following, as she knows, the Sarnia blob incident in 1984, and the report will be released once the entire study has been reviewed by both ministries. She should know that the report suggests that in fact the birth defects in Wallaceburg and Tilbury, two of the communities that we studied, are lower than in the rest of southwestern Ontario although the difference is not regarded as statistically significant. The information that is in that report is under review right now. We want to make sure that we get the very best of expert advice.

Mrs Grier: The point of my question is to point out to the minister the inconsistency between saying on the one hand, as her official did in May, that the ministry has reservations about the methodology and conclusions of the report, and on the other hand saying, as the Minister of the Environment did last January, that the study concluded there was no connection be-

tween the quality of the drinking water and the birth defects. I want to say to the minister, they cannot have it both ways.

It is now four years since the Minister of the Environment promised there would be a pipeline to bring water from Lake Huron to the citizens of Wallaceburg and Walpole Island. The report from which the statistics came was concluded in 1985. Will the minister undertake to review with her colleague the Minister of the Environment the need for that pipeline? She cannot say on the one hand the report is flawed and on the other hand, we do not need a pipeline because the report does not show the need. Will she come clean and guarantee clean water for the citizens of Wallaceburg?

The Speaker: That is a couple of supplementaries.

Hon Mrs Caplan: I would say to member that in fact Dr W. F. Everett, medical officer of health of the Kent-Chatham health unit, completed the review of the potential link between the 1989 spill and the birth of two children in that area. He confirmed diagnosis using local physician notices of live births and provincial birth defects surveillance data to the end of October 1989. Dr Everett found that birth abnormalities were within normal limits for Wallaceburg and revealed these findings in a press release issued 17 November 1989.

I want the member to know that the study she refers to is under review by the Ministry of Health and the Ministry of the Environment. We expect to have that review completed shortly, and I know that she shares with me the importance of making sure that the people of that area have the information, that it is accurate and that it is available to them in as timely a manner as possible, ensuring that in fact it has been reviewed by the experts.

AIR TRAVEL INDUSTRY

Mr Runciman: My question is for the \$1,000-a-night Minister of Industry, Trade and Technology; one of the few cabinet ministers in the House today, I might add.

Interjections.

Mr Runciman: A very sensitive bunch, Mr Speaker.

Interjections.

The Speaker: Order. The member knows standing order 20(b) as well as anyone.

Interjections.

The Speaker: Order. We will just rest a while. If you want to waste the time, go ahead.

Mr Runciman: An article appeared in yesterday's Globe and Mail concerning a \$6-million line of credit recently extended by the minister to Worldways Canada Ltd, a charter air carrier. The airline's vice-president said in the article that the ministry called him out of the blue, looking to extend financial aid. That is rather odd since the airline is enjoying its best summer to date. However, the vice-president said, "When somebody holds up a chequebook, we'd say sure...here's what we need." Why is the minister bending over backwards to help Worldways when just two months ago stranded Thomson Vacations and Odyssey travellers were denied full reimbursement of their travel costs?

Hon Mr Kwinter: This is a difficult situation for me, considering the Globe and Mail has just gone through its complete resurrection; it has got this great new format, but that does not mean that it is accurate. I want to say that just because the

article said that is no indication that it was true. I want the member to know that I received a letter from Worldways saying that in fact the article in the Globe and Mail was inaccurate and that the initiative for getting help did come from Worldways.

I should tell the member that Worldways is operating but it was experiencing some very severe potential cash-flow problems. As a result of that, they made representations to our ministry, through the Ministry of Consumer and Commercial Relations, and felt that given the fact that they are trying to dispose of some aircraft and dispose of some of the other problems they had, unless this help was forthcoming we would have had a duplication of exactly the problem that the member identified.

Mr Runciman: If the minister is so confident of his re-election possibilities that he can engage in media bashing, I am not going to endorse that; I simply want to offer a better explanation. In the past six months, six of 11 charter airlines have folded in Canada. Obviously the minister is very concerned about possible collapses and blemishes on his record in this pre-election period. He is worried to the point that he is throwing around taxpayers' dollars.

In the past two days we have seen our Monte Kwinter, the Minister of Industry, Trade and Technology transformed into Worldways's Monty Hall. Taxpayers who foot the bill for the minister's \$1,000-a-night hotel rooms, \$800,000 videos and ministry blank cheques will be the ultimate deal-makers in the next election, and it will be too late then for the minister to say, "Let's make a deal."

Will the minister tell us how many other companies have been approached by his government in this manner, how many others have been offered a blank cheque?

Hon Mr Kwinter: If I could just spend a minute, I would like to quote a letter from the president of Worldways. It says:

"Regrettably, the Globe and Mail article of this morning Report on Business contains several inaccuracies, misrepresentations, and was written in an embellished style by the reporter, which sheds an improper light on this matter.

"...we want to confirm that officials of the business regulations branch did contact Worldways and inquired about our current financial status as there is no public information available concerning our company. We confirmed that all air carriers were encountering financial hardships at this time and Worldways indeed needed some short-term financial assistance. These officials put our company in touch with the Ontario Development Corp, with whom we are working out this short-term financial assistance package which will help us through this brief, difficult period."

Signed, Michael Abate, executive vice-president and J. Robert McGee, vice-president, commercial and corp affairs, Worldways Canada Ltd.

1430

CHILD CARE

Mr Callahan: My question is to the Minister of Community and Social Services. Recently in my riding we received a grant of \$86,208 for two in-school child care programs. In fact, they were Our Lady of Good Voyage Junior Y and the family day care services for Cherrytree Child Care Centre. What does that money, that grant, cover in terms of the costs of the day care centres or the day spaces that are set up?

Hon Mr Beer: The honourable member makes reference to an excellent initiative that this government took several years

ago. In co-operation with the Ministry of Education, we are in the process of both building and then funding the operating cost of some 200 child care centres across the province.

To date, some 56 are in operation, which means that between now and 1993 the other 144 will be brought on line. This is having, I believe, a very important impact, particularly in the fast-growth areas such as Peel region, York region, Durham, Carleton and other areas where new schools are going in. That was precisely where we were targeting the capital dollars and the operating dollars.

The specific dollars for the two child care centres that the member mentioned cover a variety of things: helping with start-up costs, with staffing and with the purchase of various supplies and so on that are needed to get a new child care centre going. It is an excellent initiative and one which we are very proud of as a government.

Mr Callahan: I have had inquiries from constituents in my riding, recognizing the fact that we are receiving rather generous capital funds for building new schools and there will be day care centres established in these schools pursuant to the policy. Can the minister indicate for the benefit of my constituents, if people are interested in participating or opening up these child care centres, what are the criteria and do they apply through his ministry or the Ministry of Education?

Hon Mr Beer: As I mentioned, with these centres the Ministry of Education, through working with local school boards, looks after the capital needs. Then we work with community groups in determining the funding and making arrangements for the operation to proceed.

If there is a community group in the honourable member's area that is interested in opening a non-profit child care centre, it should make contact with a representative of our ministry. We would be happy to sit down with them and look at what the needs are in the community and whether in that particular area there is a new school going in where in fact there would be a child care facility.

CENTRAL STAMPINGS LTD

Mr D. S. Cooke: I have a question to the Minister of Industry, Trade and Technology. He will be aware that over the last few weeks I have raised several questions in the House about layoffs and loss of jobs in the Windsor area.

Today I would like to ask him a question about a company named Central Stampings, where approximately 40 jobs could be lost, not as a result of the loss of the market but as a result of a company named Karmex, which has come in and bid for some of those jobs. He will be aware that Karmex is owned by Magna International Inc and this particular company received \$20.4 million in government aid, \$10.2 million from the minister's government just back in 1986.

How would it be possible that a company receiving substantial grants from this level of government, once established, would not be creating new jobs but would in fact be competing with existing auto parts companies and taking away jobs from Canadian workers?

Hon Mr Kwinter: I have a little difficulty understanding the point of the question. Magna is a Canadian company. Magna is one of the largest, if not the largest, auto parts manufacturing company, certainly in Canada, probably in North America, and one of the largest in the world. It has a huge number of employees, who benefit Ontarians right across this province.

When we provide money to it, we do not say, "We'll give you this money, but we restrict where you can do business." There is a marketplace out there and if a company competes, there is no role for government to intercede and say, "You cannot compete with that particular company." I do not think the member would expect us to get into that position where we determine who should get the business and who should not get the business in the private sector.

Mr D. S. Cooke: I thought the purpose of intervention from the government would have been to create brand-new jobs and to perhaps get some of the work of the auto parts that are being produced in Japan or the United States, get that production in Canada. But instead what he is doing is taking the production out of Windsor, and he is doing that with government money.

Why would the workers and the owners of Central Stampings not believe that it is pretty unfair competition when they are competing with their existing corporation and facilities and Magna is competing with \$20 million worth of government money. Where is the fairness and where is the free enterprise?

Hon Mr Kwinter: The moneys that are provided by the government of Ontario are not provided to companies that are doing business just to help them compete with other companies in Ontario. The moneys that go to companies like that are creating new facilities in communities where we think that economic stimulation is required.

Mr D. S. Cooke: This is in the greater Toronto area. That is in Milton. We have 13% unemployment.

The Speaker: Order.

Hon Mr Kwinter: I am suggesting to the member that if the NDP had come to power—

Mr D. S. Cooke: Milton needs to be subsidized. Give me a break.

Interjections.

The Speaker: Order. Would the minister take his seat?

Mr D. S. Cooke: Give me a break. The greater Toronto area is getting this and we have got 13% unemployment. What a pile of crap.

The Speaker: Order. Would the member for Windsor-Riverside show a little respect.

Mr D. S. Cooke: No, not when I get that kind of a response from the minister.

The Speaker: Order. Will you show some respect for the institution?

New question, the member for Mississauga South.

BIOMEDICAL WASTE DISPOSAL

Mrs Marland: In asking a question to the Minister of Health, I think it should be noted that over half the cabinet is away today. We have less than 13 cabinet ministers here, and I think maybe we should schedule question period around their personal schedules.

The minister cannot abdicate responsibilities. In April 1986—

Interjections.

The Speaker: Order. Can we make that clock tick a little faster? No? The member for Mississauga South.

Mrs Marland: In April 1986 the Legislature received the report of the interministry task force on biomedical waste, A Strategy for the Management of Biomedical Waste. The report said:

"The reliance by hospitals and most medical laboratories for disposal of biomedical waste outside Ontario, combined with the many hospital incinerators requiring upgrading or replacement, leads to the conclusion that a major enhancement of the biomedical waste treatment capacity is essential in Ontario."

It has now been four years since that report was completed. Can the minister advise us which recommendations of this report have been implemented?

Hon Mrs Caplan: I can respond very positively to the member opposite and assure her that as part of our capital planning framework the incineration needs, the biomedical waste capacity in the province is considered a priority under that framework and the Ministry of Health is working with the Ministry of the Environment to ensure that that is addressed on a priority basis.

Mrs Marland: It is obvious that the minister cannot find it in her briefing book, because I would tell her that we are still having to ship this dangerous waste to Gatineau, Quebec and Hampton, South Carolina. It is obvious we still have a problem that could reach crisis proportions. I would also remind the minister that it has been almost four years since four Toronto area hospitals were in fact taken to court for dumping dangerous biomedical waste into landfill sites.

The 1986 report that I mentioned has identified 85 hospital incinerators that needed replacement or upgrading. That was 62% of all hospital incinerators. Can the minister tell us what remedial action has been taken to ensure that hospital incinerators in Ontario do not pose a threat to human health and safety?

Hon Mrs Caplan: I would say to the member opposite that in fact technology in this area is changing very and rapidly, that the Ministry of Health is encouraging the kind of innovation that will lead to the resolution of what I acknowledge is an important challenge.

1440

We have a project under way in Metropolitan Toronto which is quite innovative as an approach to dealing with biomedical waste and, as I have said to the member, as part of our capital planning framework we have identified the needed resources to be able to respond appropriately.

A plan is under way and we are actively working with the Ministry of the Environment to ensure that it is done in a way which responds to the latest technology, the latest innovation and improvement and responds appropriately to the needs of the province of Ontario.

ONTARIO HYDRO ENVIRONMENTAL ASSESSMENT

Mr Charlton: I have a question for the Minister of Energy. The minister will know that Ontario Hydro announced some weeks ago that it intended to proceed with individual site-specific environmental assessments on several of the proposals in the global demand-supply plan. I have received documents which would indicate that Ontario Hydro intends to violate the Environmental Assessment Act in the process of preparing for those hearings and preparing for building those plants.

Is the minister aware that Ontario Hydro is planning to spend far beyond what the act allows, and will she tell this

House this afternoon that she is prepared to do something to see that Hydro is subjected to the full weight of the Environmental Assessment Act?

Hon Mrs McLeod: I know the honourable member is well aware of the environmental assessment hearing that Ontario Hydro's demand-supply plans will be reviewed through. I certainly would assure the honourable member that I would not see Ontario Hydro violating the Environmental Assessment Act, nor would it be Hydro's intention to violate that act.

I believe it is Hydro's understanding that it is possible under the Environmental Assessment Act for a proponent to undertake feasibility studies, including research and other activities that are necessary to actually comply with the act, before approval is given to proceed with an undertaking.

The question of the cost which is allowable under the act is one which I do not have information on, and I will undertake to ensure that any financial commitments are consistent with the act.

Mr Charlton: In that respect, perhaps the minister should look specifically at the past and compare it to the present. In 1976, when Ontario Hydro was exempted from the Environmental Assessment Act around the construction of Darlington, the government and Hydro both said, and said clearly on the record, that they had done all that was required by the Environmental Assessment Act in spite of the exemption that was put in place. That only included 20% of the engineering and planning for that project.

Hydro is now proposing to proceed with 65% of the engineering and planning costs around three additional nuclear sites. I would suggest to the minister that there is clear indication that Hydro intends to violate the act. Will she ensure that there is no violation of the Environmental Assessment Act?

Hon Mrs McLeod: It is absolutely clear from everything that I have said in the House, from everything that we have indicated in terms of Hydro's DSP proposals, that we have indicated from the outset that those would be placed before an environmental assessment panel with full review and full public consultation on all aspects of the plan, including the determination of need, including the cost of options and including the particular mix of options that Ontario Hydro has proposed. That, as the honourable member will know, is phase 1 of the plan.

Phase 2 of the review will be to look at site-specific approvals of whatever mix of options receives approval under phase 1. What is being proceeded with right now, and I must make that absolutely clear to the House, is the pre-assessment research and technical development that is done in order to expedite site-specific hearings which would take place under phase 2 but which can only take place after approvals are given in phase 1. It includes not just the nuclear stations but also combustion, turbine units and hydro projects.

EDUCATION FINANCING

Mr Cousens: My question is for the Minister of Education. It stems from the deficits that are now accumulating in Roman Catholic separate school systems across the province and the fact that some 24 boards, in my understanding, have a deficit and that deficit is increasing.

How can we in Ontario say that we have equal systems for both public and separate school boards of education when we have one system, the separate system, accumulating great deficits and having to cut back programs and the other, the public system, as claimed by some, having at least some

surplus? How can the Minister of Education then say that they have equality of opportunity, equality of education? To me there is something seriously wrong when there is the financial imbalance that we now see here in Ontario.

Hon Mr Conway: I appreciate the ongoing interest of my honourable friend the member for Markham in this subject, which we first broached in the House last week. I can tell my honourable friend that with respect to the deficit question, it is to be observed that the Education Act is very clear. No school board is allowed by law to plan for a deficit; that is simply not permitted. In the event that a deficit might arise, there is a requirement that a school board plan for a retirement of that deficit over a relatively short period of time.

It is also true that as we look at the estimates that are arriving now from a number of school boards, for a wide range of reasons, many of them in the separate community appear to be having some difficulty meeting the requirement of the Education Act, which will be enforced.

I want to say to the House that the Ministry of Education, through its regional offices, will be working with and assisting those school boards which appear to be having some difficulty in addressing that concern within the context of and within conformity of the requirement of the Education Act.

Mr Pouliot: I am still shaking my head, with respect, at the response from the Minister of Education. What a talented person indeed.

PETITIONS

GOODS AND SERVICES TAX

Mr Pouliot: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We the undersigned, beg leave to petition the Parliament of Ontario in so far as we feel the proposed goods and services tax when applied to the cost of hydro, will have an adverse effect on the lives of the residents of northern Ontario."

It is duly signed by 24 worthy residents of the township of Manitouwadge, the great area of northwestern Ontario, and I have affixed my signature to it.

FRENCH-LANGUAGE SERVICES

Mr Grandmaitre: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, signed by three people requesting the Legislative Assembly to repeal French-language services. I have not applied my signature to that petition.

CONSEIL SCOLAIRE DE LANGUE FRANÇAISE

M. Poirier : J'ai quatre pétitions des associations des parents et enseignants des écoles Saint-Paul et Sainte-Euphémie à Casselman ; de l'école Saint-Viateur à Limoges ; de l'école Saint-Jean d'Embrun et de l'école Paul VI de Hawkesbury demandant un conseil de langue française pour la circonscription de Prescott et Russell. J'y ai apposé ma signature.

INTRODUCTION OF BILLS

EDUCATION STATUTE LAW AMENDMENT ACT, 1990

Mr Conway moved first reading of Bill 221, An Act to amend the Education Act and the Municipality of Metropolitan Toronto Act.

Motion agreed to.

Hon Mr Conway: I just have a very brief statement. The purpose of the Education Statute Law Amendment Act, 1990 is to update the Education Act to conform to the Freedom of Information and Protection of Privacy Act and to give legislative support for new and ongoing ministry initiatives.

1450

OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LA LOI SUR LE CONSEIL SCOLAIRE DE LANGUE FRANÇAISE D'OTTAWA-CARLETON

Mr Conway moved first reading of Bill 222, An Act to amend the Ottawa-Carleton French-Language School Board Act.

M. Conway propose la première lecture du projet de loi 222, Loi portant modification de la Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton.

Motion agreed to.

La motion est adoptée.

Hon Mr Conway: This act, the Ottawa-Carleton French-Language School Board Amendment Act, is to facilitate financial reporting for the Ottawa-Carleton French-Language School Board.

LIVESTOCK, POULTRY AND BEES DAMAGE COMPENSATION ACT, 1990

LOI DE 1990 SUR L'INDEMNISATION EN CAS DE DOMMAGES CAUSÉS À DU BÉTAIL, À DES VOLAILLES ET À DES ABEILLES

Mr Ward moved, on behalf of Mr Ramsay, first reading of Bill 223, An Act to provide Compensation for Damage to Livestock, Poultry and Bees.

M. Ward, au nom de M. Ramsay, propose la première lecture du projet de loi 223, Loi prévoyant l'indemnisation en cas de dommages causés à du bétail, à des volailles et à des abeilles.

Motion agreed to.

La motion est adoptée.

Hon Mr Ward: The amendments have three main purposes: to update provisions concerning compensation to farmers for predator damage to livestock and poultry; to expand the classes of predators for which compensation can be paid; and to introduce housekeeping amendments which will clarify interpretations, update some provisions and remove duplication in the act.

JOHN GRAVES SIMCOE MEMORIAL FOUNDATION REPEAL ACT, 1990

Mr Wong moved, on behalf of Mr O'Neil, first reading of Bill 224, An Act to repeal the John Graves Simcoe Memorial Foundation Act.

Motion agreed to.

Hon Mr Wong: Briefly, the Ontario Heritage Foundation assumed responsibility for preserving the burial place of John

Graves Simcoe and his wife in 1982 when title to their burial place, Wolford Chapel in Devon, England, was transferred to the foundation. The John Graves Simcoe Memorial Foundation Act is now unnecessary legislation and the repeal of the act is a housekeeping matter.

BUSINESS OF THE HOUSE

Hon Mr Ward: Pursuant to standing order 53, I would like to indicate the business for the upcoming week.

On Monday 18 June, provided that committee of the whole on Bill 208 has been completed on Thursday 14 June, there will be a stacked vote to take place immediately following routine proceedings. For orders of the day we will do third readings of Bills 104, 108 and 106 and second reading of Bills 175, 148 and 150 and, time permitting, interim supply.

On Tuesday 19 June we will do third reading of Bill 208, second reading of Bill 177, second reading of Bill 220 and, time permitting, interim supply.

On Wednesday 20 June we will deal with the ratification of the 1990 constitutional agreement.

On Thursday 21 June, the House will not sit, pursuant to a previous order of the House.

Mr Wildman: On a point of order, Mr Speaker: Frankly, I do not know whether this is in order, but I would like to know if the House leader could clarify whether the House will be dealing with the ratification on Wednesday even if the select committee on constitutional and intergovernmental affairs has not yet reported.

Hon Mr Ward: The referral to the committee of the House, which was done by way of order of the House, indicates that the matter is to be reported on 20 June—number 1. Number 2, I would point out that the ratification would be done by way of a government notice of motion called under orders of the day.

ORDERS OF THE DAY

House in committee of the whole.

OCCUPATIONAL HEALTH AND SAFETY STATUTE LAW AMENDMENT ACT, 1989 (continued)

Consideration of Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act.

Hon Mr Ward: I would just like to point out that earlier today in the House leaders' meeting it was agreed that all the votes that were being stacked on this bill would take place immediately following routine proceedings next Monday. I would just like to indicate that and confirm the unanimous consent of the House.

The Chair: Is that agreed?

Mr Mackenzie: I have no difficulty in agreeing with that. I just want to be sure that we will follow the same proceedings as we did on Thursday of last week in the interests of getting it through today, and that is that we can notify of the divisions but without having to stand at each division.

Agreed to.

Section 24:

The Chair: You have an amendment. Is that correct?

Mr Mackenzie: We have filed our amendments with the Chair.

The Chair: I think what we should do right now is complete the discussion on Mr Mackenzie's motion and take the vote on it. Then we will go back to the minister's section 24. Then we will look at that new additional motion on section 24. Is that correct?

Mr Mackenzie: That is correct.

The Chair: Would you like to complete any discussion you may have?

Mr Mackenzie: I think we had pretty well completed the discussion, but we never got to the vote on subsection 24(3a).

The Chair: Fair enough. Any other discussion on subsection 24(3a)?

All those in favour of Mr Mackenzie's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

1500

The Chair: Mr Mackenzie moves that subsections 24(1), (2), and (3) of the bill be struck out and the following substituted:

"24(1) Subsection 23(3) of the said act is amended by adding thereto the following clause,

"(ba) The work activity the worker is required to perform is likely to endanger the worker or another worker."

"(2) Subsection 23(6) of the said act is amended by adding thereto the following clause,

"(ba) The work activity the worker is required to perform is likely to endanger the worker or another worker."

"(3) Subsection 23(8) of the said act is amended by inserting after 'thing' in the third line, 'work activity.'"

Mr Mackenzie: This is a pretty fundamental piece of the legislation. It is the area of one of the biggest disagreements in committee and in the hearings across the province.

The government's move in effect was to go back to the original wording in terms of the work activity legislation. What this resolution does is go back to the original wording of Bill 208 before the amendments to Bill 208. We think that is a much more effective approach to the work activity issue and certainly one that the workers in the province of Ontario would be much happier with and would think they had a measure of opportunity and justice in.

The Chair: Would the member for Hamilton East please help me? It was brought to my attention, if I look at 24(3) that is already in the bill, it seems that the wording is the same as what you are proposing. What has been amended by the committee seems to be the same as what you are proposing to amend.

Mr Mackenzie: Am I reading the right thing? We have to go back to the act, I think, just for a minute.

Mr Wildman: We understand the minister intends to go back to the original wording in the act. If that were to happen, then this subsection 3 would not be included in the government's proposed change to the bill. So we want that part of that subsection to remain, while we want to change the other two subsections. The government is proposing to move away

from what is in the bill now to what was originally in the act, so we want this subsection to remain.

The Chair: Remain as it is? Okay, fair enough, as long as we understand each other. Minister, do you have a reaction?

Hon Mr Phillips: I think we understand each other. I realize it is procedurally rather complicated.

The member is correct in saying that we have attempted to define work activity in a way that would expand the rights for workers and still be workable in the workplace. As you know from our proposed amendments that I believe we will be dealing with next, Mr Chairman, we have been unable to properly define work activity, so after much debate we felt that perhaps the best thing to do is to revert to the original language in the act. The member's intention is to revert to the original language in the bill, so we will be voting against the member's amendment and then we will deal with our proposed amendment following that, which will revert to the original language in the act.

Mr Wildman: We are in a very strange position in proposing this amendment. In fact, we are defending the minister's intention against the minister. We are in fact put in the position of having to defend and to fight for what the minister intended to do when the bill was drafted. The minister was unable to achieve the right language and so the ministry, after some soul-searching and consultation, threw up its hands and said, "We'll have to go back to the original act." We do not think the ministry and the government should be going back to the original act. There must be improvements with regard to work activity, so we are trying to defend the original bill. It is ironic, to say the least, that here we are in the position of the opposition defending the government's intentions against the government, but that is in fact what we were doing.

Mr Mackenzie: I do not intend to prolong it, but there are few sections in the bill that cause more concern among workers in the province of Ontario and few sections in the bill that were as widely accepted and hailed as the original wording in Bill 208 in terms of work activities. I must say, the wording that was presented by the previous minister, the member for York Centre, and to the best of my knowledge defended not only among some of his own colleagues but certainly with the trade union movement, was the original wording in terms of work activities in this legislation.

In my opinion, few things will cause more trouble down the road than this change that the government is making. Once again, I do not expect any chance of it passing, but I would suggest to the members of this House that we would have a piece of legislation that would delete a lot of the fears that exist among working people in this province if we went back to what the government itself was prepared to give us in the original draft of Bill 208.

The Chair: All those in favour of Mr Mackenzie's amendment will please say "aye."

All those opposed will please say "nay."

Vote stacked.

The Chair: At this point we shall resume, Minister, with your amendment, which will surely enter the Guinness Book of World Records.

Hon Mr Phillips: Do you want me to read 24—

The Chair: No. Since you have already moved it, I think we will dispense with that and we will just continue debate

where we left off on it. At one point we had started to work on your motion and we had unanimous agreement to deal with amendments, so therefore we shall complete this discussion on your long amendment and we will come back to the member for Mississauga South afterwards.

Hon Mr Phillips: If I might, I would seek the indulgence of the committee for just a moment, not on this but just to alert the House that we will today require unanimous consent to deal with two items and I would just like to get the members opposite familiar with that.

One is that I think it is in subsection 31a(3) where we are substituting the words "the adjudicator" for the words "a director." This was an amendment that was before the standing committee on resources development. The intent is to establish the independent adjudicator, but it is my understanding that because it goes beyond the original intent of our bill, it will require unanimous consent. I think it is an item that the legislative committee had general agreement that it was a good idea to establish.

1510

The second one is that we have tabled an amendment today, subsection 38(1), that also, I am informed, will require unanimous consent. The reason I am raising it now is that I think if either of the critics or others would like further explanation, we can certainly deal with it when it comes up, but they may want also to avail themselves now. That one is designed to protect the pension plans of individuals who currently are on safety associations which fall under the Workers' Compensation Board and then during the transition period will come under the agency. I want to alert the member to that.

If I might now go back to section 24—

The Chair: I assume you have arranged for distribution of copies to the interpreters, Hansard, critics and everybody?

Hon Mr Phillips: I believe that is the case.

The Chair: Thank you. Now let's go back to section 24.

Hon Mr Phillips: There really are three major sections on 24, as the members are aware. One is the item that we have just been debating with the members, the proposal to delete "the work activity" from this section. The second section of the amendment provides the right to refuse for public sector workers who previously had no right to refuse or a very restricted right to refuse. The third major section of this is again something that came up in the legislative committee around ensuring that, where a worker is exercising the right to refuse, if another worker is asked to do that work, there is a procedure in place to ensure that the worker who has been asked to do that will be informed in the presence of another worker adviser of the rationale and the reasons for that refusal. Those are the three major sections.

I believe that when we last debated it the official opposition asked that we deal with this in three sections. I have no difficulty if, procedurally, that is possible to do.

The Chair: Any other comments or questions?

Mr Mackenzie: Just to the first item that the minister raised, the unanimous consent. We did not deal with that in the House, did we?

The Chair: We will deal with that at the time we get to that particular point, but now we are on section 24. Does anybody have any comments on this government amendment?

Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

Vote stacked.

The Chair: I heard that there was unanimous consent among the parties to revert back to section 18, I presume, where the member for Mississauga South had a proposed amendment. Is that correct?

Mrs Marland: I did request unanimous consent to revert back to section 18. I notice that section 18 had already been carried, so I am requesting that we reopen it.

The Chair: There is still unanimous agreement to that. Yes?

Agreed to.

Section 18:

The Chair: Mrs Marland moves that section 18 of the bill, which seeks to amend section 19 of the act, be struck out.

Would the member for Mississauga South want to give an explanation or something?

Mrs Marland: Yes, I would like to. The section of the bill that I am asking to be struck out says the following:

"An architect as defined in the Architects Act, 1984 and a professional engineer as defined in the Professional Engineers Act, 1984 contravenes this act if, as a result of his or her advice that is given or his or her certification required under this act that is made negligently or incompetently, a worker is endangered."

The two acts that are referred to in this actual section, the Architects Act, 1984 and the Professional Engineers Act, 1984, in themselves provide the same protection that this addition in section 18 provides. So, in fact, it is redundant. It is not necessary to have section 18 in here, because under their existing acts which allow them to practise, they are fully liable if there is an injury sustained not only by a worker but a member of the public or anyone else as a result of their work, their design or their certification.

Quite frankly, the architects and the engineers in Ontario are upset that they, as two professions, are singled out. There are other professions. If the minister thought it was necessary to add them in Bill 208, he could also have had clauses to address their areas of responsibility.

I will wait to hear the comments of the minister, but the reason that section should be struck out, frankly, is that it is redundant and it focuses on only two professions, unnecessarily.

The Chair: Minister, if you want to react, that is fair enough, but I just want to tell the member for Mississauga South that it is out of order to make this—I will tell her why afterwards, unless you want to react now. I think maybe if you want to react, you should, since I allowed the member for Mississauga South to present that so far. Did you want to react, Minister?

Hon Mr Phillips: I will react to the content of it—I am not sure how we deal with it if it is out of order—just to make two points. I am told we have consulted with the Association of Professional Engineers of Ontario and the Consulting Engineers of Ontario, and during the discussions with the ministry, we also consulted with the Ontario Association of Architects. All three bodies have now accepted the revised wording and are satisfied with the consultative process. There has been a good deal of consultation with them.

I think the reason we put it in was in recognition that these two bodies do play an awfully large role in the health and safety of workers. We put a large obligation on our employers, but we felt that these two bodies also have a major obligation to health and safety. Those are the two points I would make. One is the important role these two groups play and, second, I believe the wording is wording that they have been consulted on and find they can live with.

Mrs Marland: There is no question who plays a larger role than the architects and the engineers; that is not the issue. There is no question about the role they play in designing the workplaces for the workers, who may or may not be at risk in the province. There is no question; that is not the issue.

The issue is they are not the only professions involved. Also, their liability and their risk for negligence or incompetence is already identified in their acts. If the minister says that his staff has consulted with the architects' and the engineers' associations and they are quite happy with this wording, I wonder how long ago that consultation took place and if it is possible to have a name of who was spoken to at the OAA or the APEO. The reason that I am making the amendment is obviously because I have been asked to do so by those associations. It is something that I am doing to represent their interests, at their request.

1520

The Chair: I just want to tell the member that, regrettably, we have to rule that her proposed amendment is out of order because parliamentary practice, tradition, does not permit deleting entire sections. Only parts of sections can be deleted, if they do not affect the purpose of the entire section. I suggest that when I ask if section 18 shall stand as part of the bill, if members do not want a particular section to be brought in, then at that point they can vote against it. I just thought I would explain that to you and to any others in the future who may want to bring similar motions.

Mrs Marland: I respect your ruling and will obviously adhere to it. May I suggest that if we do not finish this bill today—I am hopeful that we will, but if we do not, may I request the indulgence of the government and the official opposition to try to bring back an amendment that would be acceptable in terms of procedure where I would not be striking out the whole section but in fact still dealing with the same intent and concern of the architects and the engineers.

The Chair: Provided that your proposed amendment does not affect the purpose of the entire section. Do you understand?

Mrs Marland: I understand.

The Chair: Fair enough.

Mr Wildman: Is it in order to move the deletion of the Chairman?

The Chair: It is not in order to move deletion of the Chairman. No, it is not.

Shall section 18 stand as part of the bill? Agreed? Since we opened discussion on a proposed amendment to section 18, and since I ruled it out of order, I have to ask—

Mr Wildman: On a point of order, Mr Chairman: To be fair, I think the member for Mississauga South has essentially asked that it be stood down.

Mrs Marland: Yes.

The Chair: Well, I ruled it out of order.

Mr Wildman: No, but she has asked that the section be stood down because she wants to bring in an amendment tomorrow or the next day when we are dealing with this.

The Chair: Fair enough. At any time during the committee of the whole that anybody wants to bring something forward, if there is unanimous consent, and you seem to have it, you can bring it forward and we will reopen the books on section 18 or anything else that you want to do. If there is unanimous consent, I am quite agreeable. You have asked for it and you have mentioned that you will want to do that. At that particular point when you do bring it forward, I will have to ask for unanimous consent, and if we have it, we will play with that at that point.

I should still ask to carry section 18, and whenever the member for Mississauga South or any other member wants to ask for unanimous consent at any time to reopen the dossier, then we will do it. I want to close this particular chapter for now, and it can be reopened at any time, as long as we have unanimous consent.

Mr Wildman: As long as Elijah Harper is not a member.

The Chair: That is right. Shall section 18 stand as part of the bill?

Section 18 agreed to.

The Chair: We have a series of proposed amendments to section 25 here, official opposition motions.

Mr Dietsch: Did we have section 24 passed?

The Chair: We cannot do that with section 24, because we have a whole series of divisions on section 24. It is only after I have finished that we will vote on section 24, and then I will ask, "Shall section 24 pass, as amended?" or whatever; only after division.

Hon Mr Phillips: I thought you were saying we were moving on to section 25, and the only problem is—my memory is failing me—did we deal with the New Democratic Party motion on clause 24(3a)?

The Chair: Yes, we did.

Hon Mr Phillips: We did deal with it. I am sorry. Fine.

The Chair: Yes, and it is stacked for division. As far as I am concerned, we have completed everything that was brought forward for section 24. We cannot call for it because we still have a whole series of divisions on section 24. Now we are attacking section 25.

Section 25:

The Chair: If I am not mistaken, I have six proposed amendments to section 25. Is that correct?

Mr Mackenzie: Yes, we have some of them.

The Chair: Some? I have six. Do you have six?

Mr Mackenzie: Yes. Do you want to start with the first one?

The Chair: Mr Mackenzie moves that subsection 23a(1) of the act, as set out in section 25 of the bill, be struck out and the following substituted:

23a(1) "A certified member who has reasonable grounds to believe,

"(a) that a provision of this act or the regulations is being contravened, that the contravention poses a danger or a hazard to a worker and any delay in controlling it will cause serious risk to the worker; or

"(b) that a danger or hazard to a worker is present and any delay in controlling it will cause serious risk to the worker,

"may direct an employer to stop work specifying the work or the use of any part of a workplace or any equipment, machine, device, article or thing that is to be discontinued."

Mr Mackenzie: This is the argument that reasonable grounds to believe that there may be a danger is adequate to give the right to shut down, because it is impossible in many workplace situations to state with an absolute certainty, even though the workers who are working on the job and used to it may very well know that it is an unsafe situation. We feel fairly strongly that this amendment should be carried.

Hon Mr Phillips: The differences between this and our proposal are two: one is the "reasonable grounds"; the other is that we have clauses (a), (b) and (c) in ours. The point I would make is that it is necessary that a provision of the act or the regulations be contravened to take the other action.

Now, the act is quite broad and there is a broad duty within the act, so that it covers all of these circumstances. But our act is designed in such a way that it must be a contravention of the act. As I say, the act is so broad that it would encompass the circumstances that would be spelled out here in clause (b).

For those two reasons we will be voting against this amendment and in favour of our original amendment in section 25.

Mr Mackenzie: I will just go back to what I said earlier. "A provision of this act or the regulations is being contravened." That is what the ministry and the government say. I do not think that takes away from the argument I made earlier, "as long as the worker has reasonable grounds," which I think is the essential point. I do not see that kind of firm protection being given in the minister's amendment.

The Chair: Are you ready for the vote? Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Deferred? Division? The member for Hamilton East.

Mr Mackenzie: I am a little bit at a loss here. I think I will move the motion anyhow. I am not sure that it still really stands.

The Chair: Mr Mackenzie moves that subsection 23a(2) of the act, as set out in section 25 of the bill, be struck out and the following substituted:

"(2) If a certified member receives a complaint that the circumstances described in subsection (1) exist, the certified member shall investigate the complaint immediately."

Mr Mackenzie: I had put it down originally in my notes as housekeeping in trying to be sure I understood what I was doing myself. I think it really applies if the previous amendment we moved is agreed to, but maybe we can have a vote on it, in any event.

Hon Mr Phillips: I believe that the wording we are proposing is "may," if I am not mistaken. The reason we have the word "may" in is that the certified representative is well-trained and knowledgeable in health and safety and that there may be circumstances where, in spite of the fact that there is an issue raised by someone in the workplace, it provides the discretion that he does not have to investigate it. So it provides some discretion to the certified worker representatives that they have that discretion available to them. Based on our consultations anyway, there is the possibility that periodically that may in fact occur, where a certified worker says, "I do not think that

warrants an investigation." I think that was the intent and we will be against this amendment and sticking with our original "may."

1530

Mr Mackenzie: The wording says "may investigate" and I think "shall investigate" would be a little more effective.

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: Mr Mackenzie moves that subsection 23a(6) of the act, as set out in section 25 of the bill, be struck out and the following substituted:

"(6) The direction to stop work may be cancelled by an inspector, or if there is not disagreement between a certified member representing the constructor or employer and a certified member representing workers, by a certified member."

Mr Mackenzie: The inspector can move only if there is not a disagreement between the certified members.

Hon Mr Phillips: As I remember, the original intent of this was to correct what was not intended in the original bill, but which created the impression that one certified member could counteract the stop-work provision. That was what I remember, at an earlier stage, the intent of this amendment was designed to accomplish. I think we have corrected that concern in our amendment on section 25, subsections 23b(7) and (8), if everyone is there now, where we say:

"(7) After taking steps to remedy the dangerous circumstances, the constructor or employer may request the certified members or an inspector to cancel the direction.

"(8) The certified members who issued a direction may jointly cancel it or an inspector may cancel it."

We corrected what was an original concern by some members and by people who came before our committee. As it looked in the original drafting, one certified member might cancel it and we corrected that to say it must be joint. I had thought we had accommodated the original intent of this amendment, but I am not sure whether we have fully or not.

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: Mr Mackenzie moves that subsection 23(a)(7) of the act, as set out in section 25 of the bill, be struck out.

Mr Mackenzie: Removing the restrictions on stop-work orders in the public sector is essentially the argument.

Hon Mr Phillips: As I think all members know, we have made a substantial change in the right to refuse for public sector workers: the police, firemen, correctional officers and health care workers. As I say, that is quite a substantive move.

We are not in favour of going the extra step, which this would accomplish, of also broadening it to include the provision of the right to stop work. I understand what the member is attempting to do here, but as I say, we think we have already made a major improvement in providing protection for

our public sector workers. To go this additional step at this stage would be going beyond what we would want to support. Certainly in terms of balancing, as I have said before, the public interest with the legitimate health and safety concerns of our workers, we think we have that balance now in the previous section we dealt with, section 24.

Mr Mackenzie: The minister is right. This really is especially important. Since the new move is to require a joint shut-down, why not give it to the public sector?

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: Mr Mackenzie moves that the act, as amended by section 20 of the bill, be further amended by adding the following section:

"23aa. (1) A certified member who has reason to believe,

"(a) that a provision of this act or the regulations is being contravened, that the contravention poses a danger or hazard to a worker and any delay in controlling it will cause serious risk to the worker; or

"(b) that a danger or hazard to a worker is present and any delay in controlling it will cause serious risk to the worker,

"may issue a provisional improvement order specifying that the work or the use of any part of the workplace or of any equipment, machine, device, article or thing shall be corrected.

"(2) If a certified member receives a complaint that the circumstances described in clause (1)(a) or (b) exist, the certified member shall investigate the complaint immediately.

"(3) The employer who receives a provisional improvement order shall investigate the circumstances in the presence of the certified member.

"(4) If, after an investigation under subsection (3), the employer and the certified member disagree whether a circumstance described in clause (1)(a) or (b) exists, either of them may notify an inspector who shall investigate and give them a decision in writing on the matter."

Mr Mackenzie: Provisional orders: Only the ministry can now issue an order. We say that the certified member should have the same authority.

Hon Mr Phillips: I think we have provided in the bill for substantial opportunity for workplace concerns to be handled and accommodated. The previous part of this section we have been dealing with does provide certified workers with an opportunity to stop the work activity when they jointly agree on it and under certain circumstances to unilaterally stop the work.

We require joint health and safety committee reports now to be responded to by the employer in writing, for the employer to have to deal with issues that the joint health and safety committees raise. To take the extra step where the certified member may also issue his own, if you will, orders—I think we have provided the necessary moves to ensure action take place, but there may be a variety of remedies available. We would prefer to leave the stop-work provisions as they are and to rely on the workplace parties to resolve it, and where they cannot, to have our inspectors issue the solution orders.

1540

Mr Mackenzie: In a sense we have taken away the right to shut down, in effect, in the public sector. It seems to me that

one of the ways you show confidence in the certified worker and get the employer's attention in one heck of a hurry is to give the certified member the authority to issue orders. I really have some difficulty understanding why the ministry is so sceptical of the responsibility of certified members.

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: Mr Mackenzie moves that section 23c of the act, as set out in section 25 of the bill, be struck out.

Mr Mackenzie: We want to be sure that the employer cannot take disciplinary action or reprisals against the workers. That is what is at stake here.

Hon Mr Phillips: I am told that we have accommodated this in our amendments. I want to be absolutely sure that is the case before I confirm it. Yes, I believe we have accommodated the concern by the complaint going to the adjudicator rather than the agency. I think the concern that some representations had before our committee was they did not want the agency involved in discipline action. I believe we have accommodated the member's concern. I would want to be certain that he feels comfortable that we have.

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: As far as I am concerned, my next proposed amendment would be to section 31, so in that case—I have just discovered the wonderful treasure of more amendments at the back.

Mr Phillips moves that sections 23a, 23b and 23c of the act, as set out in section 25 of the bill, be struck out and the following substituted:

"23a(1) In sections 23b to 23e, 'dangerous circumstances' means a situation in which,

"(a) a provision of this act or the regulation is being contravened;

"(b) the contravention poses a danger or a hazard to a worker; and

"(c) the danger or hazard is such that any delay in controlling it may seriously endanger a worker.

"(2) Sections 23b to 23f do not apply with respect to,

"(a) a workplace at which workers described in clause 23(2)(a), (b) or (c) are employed; or

"(b) a workplace at which workers described in clause 23(2)(d) are employed if a work stoppage would directly endanger the life, health or safety of another person.

"23b(1) A certified member who has reason to believe that dangerous circumstances exist at a workplace may request that a supervisor investigate the matter and the supervisor shall promptly do so in the presence of the certified member.

"(2) The certified member may request that a second certified member representing the other workplace party investigate the matter if the first certified member has reason to believe that dangerous circumstances continue after the supervisor's investigation and remedial actions, if any.

"(3) The second certified member shall promptly investigate the matter in the presence of the first certified member.

"(4) If both certified members find that the dangerous circumstances exist, the certified members may direct the constructor or employer to stop the work or to stop the use of any part of a workplace or of any equipment, machine, device, article or thing.

"(5) The constructor or employer shall immediately comply with the direction and shall ensure that compliance is effected in a way that does not endanger a person.

"(6) If the certified members do not agree whether dangerous circumstances exist, either certified member may request that an inspector investigate the matter and the inspector shall do so and provide the certified members with a written decision.

"(7) After taking steps to remedy the dangerous circumstances, the constructor or employer may request the certified members or an inspector to cancel the direction.

"(8) The certified members who issued a direction may jointly cancel it or an inspector may cancel it.

"(9) In such circumstances as may be prescribed, a certified member who represents the constructor or employer shall designate a person to act under this section in his or her stead when the certified member is not available at the workplace.

"23c(1) A certified member at a workplace or an inspector who has reason to believe that the procedure for stopping work set out in section 23b will not be sufficient to protect a constructor's or employer's workers at the workplace from serious risk to their health or safety may apply to the adjudicator for a declaration or recommendation described in subsection (5), or both.

"(2) An applicant shall give written notice of an application to the constructor or employer and to a director.

"(3) The minister is entitled to be a party to a proceeding before the adjudicator.

"(4) The minister may appoint an inspector to attempt to mediate a settlement of the issues between the applicant and the constructor or employer at any time after an application is made.

"(5) If the adjudicator finds that the procedure for stopping work set out in section 23b will not be sufficient to protect the constructor's or employer's workers at the workplace from serious risk to their health or safety, the adjudicator,

"(a) may issue a declaration that the constructor or employer is subject to the procedure for stopping work set out in section 23d for the period specified; and

"(b) may recommend to the minister that an inspector be assigned to oversee the health and safety practices of the constructor or employer at the workplace on a full-time or part-time basis for a specified period.

"(6) In making a finding under subsection (5), the adjudicator shall determine, using the prescribed criteria, whether the constructor or employer has demonstrated a failure to protect the health and safety of workers and shall consider such other matters as may be prescribed.

1550

"(7) The decision of the adjudicator on an application is final.

"(8) The employer shall reimburse the Treasurer of Ontario for the wages, benefits and expenses of an inspector assigned to the employer as recommended by the adjudicator.

"23d(1) This section applies, and section 23b does not apply, with respect to a constructor or an employer,

“(a) against whom the adjudicator has issued a declaration under section 23c; or

“(b) who advises the committee at a workplace in writing that the constructor or employer adopts the procedures set out in this section respecting work stoppages.

“(2) A certified member may direct the constructor or employer to stop specified work or to stop the use of any part of a workplace or of any equipment, machine, device, article or thing if the certified member finds that dangerous circumstances exist.

“(3) The constructor or employer shall immediately comply with the direction and shall ensure that compliance is effected in a way that does not endanger a person.

“(4) After complying with the direction, the constructor or employer shall promptly investigate the matter in the presence of the certified member.

“(5) If the certified member and the constructor or employer do not agree whether dangerous circumstances exist, the constructor or employer or the certified member may request that an inspector investigate the matter and the inspector shall do so and provide them with a written decision.

“(6) After taking steps to remedy the dangerous circumstances, the constructor or employer may request the certified member or an inspector to cancel the direction.

“(7) The certified member who made the direction or an inspector may cancel it.

“23e(1) A certified member who receives a complaint that dangerous circumstances exist is entitled to investigate the complaint.

“(2) The time spent by a certified member in exercising powers and carrying out duties under this section and sections 23b and 23d shall be deemed to be work time for which the member's employer shall pay the member at the regular or premium rate as may be proper.

“23f(1) A constructor, an employer, a worker at the workplace or a representative of a trade union that represents workers at the workplace may file a complaint with the adjudicator if he, she or it has reasonable grounds to believe that a certified member at the workplace recklessly or in bad faith exercised or failed to exercise a power under section 23b or 23d.

“(2) A complaint must be filed no later than 14 days after the event to which the complaint relates.

“(3) The minister is entitled to be a party to a proceeding before the adjudicator.

“(4) The adjudicator shall make a decision respecting the complaint and may make such order as he or she considers appropriate in the circumstances including an order decertifying a certified member.

“(5) The decision of the adjudicator is final.”

Any opening statement on that, Minister?

Hon Mr Phillips: I think we have been over this for some time. It is designed to set out the procedures by which the joint stop-work takes place or the unilateral stop-work takes place.

The Chair: Are we ready for the vote? Is it the pleasure of the committee that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

Vote stacked.

The Chair: The next government motion that I have is for subsection 28(1). Is that correct?

Hon Mr Phillips: I would move that subsection 28(1) of the bill be struck out.

Mr Wildman: On a point of order, Mr Chairman: In my view, and I am sure you would agree, that motion is out of order. The section should just be voted down.

The Chair: You can amend a subsection, but not a section. Thank you.

Before we move to yours, Minister, I realize that there were no proposed amendments to sections 26 and 27. Shall sections 26 and 27 carry?

Sections 26 and 27 agreed to.

Section 28:

The Chair: Mr Phillips moves that subsection 28(1) of the bill be struck out.

Hon Mr Phillips: That subsection dealt with work activity in earlier amendments which we have taken out, so that it is not needed, since the specific reference to work activities as grounds for refusing work has been removed.

Mr Wildman: I would just like to observe that this is an admission of failure on the part of the government, the inability for it to work out the whole issue of work activity. It is unfortunate that the government was not able to live by the original wording of the bill, as was introduced by the previous minister, and has now decided to give up.

Motion agreed to.

The Chair: Mr Phillips moves that section 28 of the bill be amended by adding the following subsection:

“(3) Clause 28(1)(j)(iii) of the said act is repealed and the following substituted therefor:

“(iii) that a floor, roof or temporary work, or part of a building, structure or temporary work is capable of supporting or withstanding all loads to which it may be subjected without causing the materials therein to be stressed beyond the allowable unit stresses established under the Building Code Act or established by regulation.”

Hon Mr Phillips: I gather that the amendments required reflect changes in and be consistent with the building code. It is, as it says here, a technical amendment which does not make any substantive change, I am informed.

Motion agreed to.

Section 28, as amended, agreed to.

Section 29:

1600

The Chair: Mr Phillips moves that section 28b of the act, as set out in section 29 of the bill, be struck out and the following substituted:

“28b(1) While acting under the authority of this act, an inspector may, without a warrant or court order, seize any thing that is produced to him or her or that is in plain view if the inspector reasonably believes that this act or a regulation has been contravened and that the thing will afford evidence of the contravention.

“(2) The inspector may remove the thing seized or may detain it in the place in which it is seized.

“(3) The inspector shall inform the person from whom the thing is seized as to the reason for the seizure and shall give the person a receipt for it.

"(4) The inspector shall bring a thing seized under the authority of this section before a provincial judge or justice of the peace or, if that is not reasonably possible, shall report the seizure to a provincial judge or justice of the peace.

"(5) Sections 143 and 144 of the Provincial Offences Act apply with necessary modifications in respect of a thing seized under the authority of this section."

Hon Mr Phillips: The intent of this is to bring the language into line, I gather, with the charter. Section 143 sets out the power of a judge or justice to order further detention of the thing seized. If a detention order is given, it cannot be for more than three months unless court proceedings have been initiated. Section 144 deals with the procedure to be followed if the thing to be seized is subject to solicitor-client privilege. Requiring an appearance before a justice of the peace or a provincial judge will make this section consistent with the Charter of Rights and with judicial processes and requirements.

Mr Wildman: I would like some further explanation as to the change in the wording from the bill as drafted. If you look at the bill as drafted, subsection 28b(1) says, "An inspector may, in the course of inspecting a workplace, seize and carry away any document or thing that the inspector considers affords evidence as to the commission of an offence under this act."

Now the minister has added in the amendment the phrase "without a warrant or court order, seize any thing that is produced to him or her or that is in plain view if the inspector reasonably believes...." It sounds to me as if the import of this is that an inspector could only take what is obvious, in plain view, or something that is given to him by, I suppose, the employer or someone in management at the site he is inspecting, unless the inspector obtained a warrant, and that the inspector would require a warrant or court order to seize anything that is not given to him freely by the employer or that is not sitting out on a desk or something, etc, when he arrived at the workplace.

Is that what the ministry is attempting to do here, and if so, could the minister explain why this is happening? Is it as a result of the charter or is it because the ministry is attempting in a way to curtail the leeway that the inspector has in seizing documents and things?

Hon Mr Phillips: I think the answer is coming. I am told that this wording is consistent with other similar officers—environment officers and what not—so I guess the intent is to ensure that we have both the authority and the right to seize the material, but that we also have a defensible right. That is why, I gather, these are the circumstances under which we exercise it without a warrant. Where we require a warrant, we get such a thing.

Motion agreed to.

Section 29, as amended, agreed to.

Section 30:

The Chair: Mr Phillips moves that section 30 of the bill be struck out and the following substituted:

"30(1) Subsection 29(1) of the said act is amended by inserting after 'constructor' in the third line 'licensee.'

"(2) Section 29 of the said act, as amended by the Statutes of Ontario, 1987, chapter 29, section 5, is further amended by adding thereto the following subsections:

"(3a) An order made under subsection (1) may require a constructor, a licensee or an employer to submit to the ministry

a compliance plan prepared in the manner and including such items as required by the order.

"(3b) The compliance plan shall specify what the constructor, licensee or employer plans to do to comply with the order and when the constructor, licensee or employer intends to achieve compliance.

"(3) Clause 29(4)(b) of the said act is repealed and the following substituted therefor:

"(b) order that the work at the workplace as indicated in the order shall stop until the order to stop work is withdrawn or cancelled by an inspector after an inspection.

"(4) The said section 29 is further amended by renumbering subsection (4a) as (4b) and by adding thereto the following subsection:

"(4a) Notwithstanding clause (4)(b), a constructor, a licensee or an employer who gives notice to an inspector of compliance with an order made under subsection (4) may resume work pending an inspection and decision by an inspector respecting compliance with the order if, before the resumption of work, a committee member representing workers or a health and safety representative, as the case may be, advises an inspector that in his or her opinion the order has been complied with.

"(5) Subsection 29(6) of the said act is amended by inserting after 'constructor' in the second line and after 'constructor' in the fourth line 'licensee.'

"(6) Subsection 29(7) of the said act is amended by inserting after 'constructor' in the second line 'licensee.'"

Hon Mr Phillips: I think one of the major things is to ensure that we have added the licensee to this provision. As you may recall, Mr Chairman, we earlier on, in dealing with the logging industry, used the term "licensee," and we have to make certain that throughout the act we refer to that. The rest is to ensure that a compliance plan is prepared where we issue an order that requires that and that it includes items that are required by the order.

Mr Mackenzie: I would like to ask the minister, then, why "Compliance plan," (3a) in this section, says, "An order made under subsection (1) may require"? Should it not read "shall require" a comprehensive plan?

Hon Mr Phillips: There are circumstances where it does not require a plan; it simply requires compliance. In those circumstances, rather than preparing the plan, we just insist on compliance. But where the order requires a more substantive action by the employer, then this gives us the authority to require the compliance plans. As I say, there are circumstances where what is required is quite straightforward and does not require that plan.

Motion agreed to.

Section 30, as amended, agreed to.

1610

Section 31:

The Chair: Mr Mackenzie moves that the bill be amended by adding the following section:

"31. The said act is further amended by adding thereto the following section:

"31a. Where there is no work for a worker because of a refusal to work under section 23, a work stoppage under section 23a, or an order under subsection 29(4), the employer shall pay to the worker an amount not less than 100% of the worker's

regular or premium rate for the period of time for which there is no work."

Mr Mackenzie: This is obviously designed to guarantee payment for the workers involved. Without this provision, I think anybody in this House will recognize the kind of peer pressure that can be exerted on workers to stop them from taking the steps.

Hon Mr Phillips: It is our belief that the existing decisions of the Ontario Labour Relations Board do clarify a worker's right to be paid during stage 1 of a refusal to work, and during stage 2, the worker is paid if he or she is assigned alternative work. If no suitable work is available, the provisions of the collective agreement or the employment contract prevail. Therefore, we do not see the necessity for this amendment.

Mr Wildman: In response to the minister's statement, the rulings of the board have indeed indicated that workers who exercise their right to refuse will be protected and will receive payment. However, it is very unclear, and I do not think the minister meant to say it, whether the other workers who might be affected by a work refusal, if their work is also curtailed or stopped as a result, will also be protected and will have their pay during the period of the work stoppage.

Perhaps if what I am saying is not correct, the minister can give me an example where the board has made a ruling that other workers not directly involved in the work refusal but affected by a work stoppage as a result would have their pay protected. Unless we have that kind of protection set out very clearly, despite the fact that the individual worker who exercises his right to refuse is protected, that individual might have peer pressure exerted against him because the other workers would fear that they might lose pay. That is what we are trying to protect here.

We will accept the minister's explanation that a worker should know that the board has ruled that if he or she exercises his or her own right to refuse, the pay for him or her will be protected. However, what about the co-workers who might be affected and whose work might be curtailed or stopped?

Hon Mr Phillips: I gather from previous debates that the decisions of the Ontario Labour Relations Board had clarified the worker's right to be paid. However, I gather the board did not deal with the section directly. If other workers are at work, they do get paid, I am told. Otherwise, the collective provisions deal with it.

Mr Wildman: Sorry, what did that last phrase mean?

Hon Mr Phillips: I gather that in most collective agreements, there are provisions for how they deal with work stoppages such as this.

Mr Wildman: Okay, I thought that was what the minister meant and that is why I wanted to get the clarification. What about workers who are not organized and do not have a collective agreement, or who are organized and have a collective agreement but do not have that kind of provision within their agreement?

Hon Mr Phillips: I will ask Mr Millard to make sure I do not say anything that is not the case. I gather our inspectors tend to use the Ontario Labour Relations Board decisions as their guidelines—is that a fair statement, Mr Millard?—in determining as they are dealing with work stoppages around the right to refuse and in terms of how the workers are paid. So in circumstances where we are not dealing with a collective agree-

ment, it is my understanding that we use the precedents that have been established by the OLRB decisions.

Mr Mackenzie: Assuming that is the case, for the life of me then, can the minister tell me what is wrong with including this amendment in the bill to make it dead certain that there is no question that the workers are paid and that there is not the kind of peer pressure that can result if that is not in the legislation?

Hon Mr Phillips: I think that the decisions by the labour relations board dealt with stage 1 refusals. I believe these amendments deal also with some of the stage 2 circumstances. That does go beyond the decisions by the labour relations board.

Mr Wildman: Which in our view would indicate why this amendment is required.

The Chair: Any other points or discussion?

All those in favour of Mr Mackenzie's motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

The Chair: Before we go any further, as this is an addition to the bill, I would have to ask, as this has been section 31a actually, if section 31 is carried.

Section 31 agreed to.

The Chair: Now we have the proposed government addition, a new section 31a also. That is the one, Minister, because you were proposing to amend something that was not in the bill, for which you would seek unanimous consent to bring this forward. Is there unanimous consent to bring that government motion forward?

Agreed to.

The Chair: Mr Phillips moves that the bill be amended by adding the following section:

"31a(1) Subsection 32(1) of the said act is amended by inserting after 'constructor' in the first line 'licensee.'

"(2) Subsection 32(8) of the said act is repealed.

"(3) Section 32 of the said act is amended by striking out 'a director' wherever it occurs and inserting in lieu thereof in each instance 'the adjudicator.'"

Hon Mr Phillips: This is a fairly important section of the bill in that one of the concerns by many groups before us was the need to establish a more independent appeal mechanism. It was felt that the appeal director within the ministry was not serving that function as well as some would like it.

So we have moved to establish the adjudicator, which we believe provides the independence that many sought as well as to provide some of the roles in terms of dealing with both decertification and the establishment of employers where the right for unilateral stop-work provisions would be provided. That is the major intent of this amendment.

Mr Mackenzie: I think it is worth raising at this time the question of the adjudicator, a concern we are going to raise a little further on. How do we know that the adjudicator is going to be truly independent? Are we going to run it by the board? How do we know the director of appeals is not going to end up the adjudicator? What kind of guarantees do we have that we have an independent voice here?

1620

Hon Mr Phillips: I think that throughout this process I have said that it is going to require the confidence of the parties both in the agency and in the adjudicator. The individuals selected to the agency are likewise going to have to have the kind of confidence and the credibility in the community to sustain the necessary support for the agency.

Similarly, I think we appreciate that the adjudicator will be an individual who will require the confidence of the communities that he or she will be serving. I can assure the members of the House that we will consult broadly on the selection to ensure that the individual does have the confidence of the constituents that he or she would serve, recognizing that the parties are going to be putting a fair bit of faith in this particular position. It therefore requires an individual with that confidence.

I can first provide the assurance to the member of the perception that we think is necessary for that position, and then of the broad consultation on the individual.

Motion agreed to.

Section 32:

The Second Deputy Chair: Mr Phillips moves that subsection 34(1a) of the act as set out in section 32 of the bill be struck out and the following substituted:

“(1a) No employer shall seek to gain access, except by an order of the court or other tribunal or in order to comply with another statute, to a health record concerning the worker without the worker’s written consent.”

Hon Mr Phillips: The intent is that employers not seek access to a worker’s health records unless it is allowed by a court order, it is required in order to comply with another statute or the worker gives his or her consent. This amendment adds compliance with another statute, such as the Workers’ Compensation Act, as a ground for an employer to gain access to a worker’s medical records. In other than those limited circumstances, the confidentiality of a worker’s medical record is protected.

Motion agreed to.

Section 32, as amended, agreed to.

Section 33:

The Second Deputy Chair: Mr Mackenzie moves that clause 33(1)(f) of the government motion be struck out and the following substituted:

“(f) An employee of a medical clinic referred to in subclause 10c(1)(n)(i), an association referred to in subclause 10c(1)(n)(ii), a training centre referred to in subclause 10c(1)(n)(iii) or subsection 10e(1).”

Just speaking to the member for Hamilton East, and for those of you who have had more procedural years of experience than I have, I see the government has made a proposed amendment to section 33. Would it not be in order to have the government move its amendment first and then your amendment as the amendment to the amendment? Would that be all right?

Mr Mackenzie: We have been dealing with our amendments first all the way through, and I believe this is probably an oversight on the part of the government. I think the intent was that the actions for damages in effect should not be allowed against the above. As it stands now, safety associations got the immunity but not the people in the medical clinics or training

centres. I believe they had agreed they were going to support that change.

The Second Deputy Chair: We still have a difficulty because—you are right that we have been recognizing your amendments first, except we have a problem. You are trying to amend something which is not even—

Mr Dietsch: I think our motion needs to be put first forward, Mr Chairman, before the amendment can be accepted.

The Second Deputy Chair: I am feeling a little uncomfortable about this. I think their motion has to be put forward first.

Hon Mr Phillips: I guess it is not always in order, but just to make the member feel more comfortable, we do not have a problem with his amendment.

The Second Deputy Chair: Mr Phillips moves that section 33 of the bill be struck out and the following substituted:

“33. Subsection 36(1) of the said act is repealed and the following substituted therefor:

“(1) No action or other proceeding for damages, prohibition or mandamus shall be instituted respecting any act done in good faith in the execution or intended execution of a person’s duties under this act or in the exercise or intended exercise of a person’s powers under this act or for any alleged neglect or default in the execution or performance in good faith of the person’s duties or powers if the person is,

“(a) an employee of the ministry or a person who acts as an adviser for the ministry;

“(b) a director or employee of the agency or a person who acts as an adviser for the agency;

“(c) the adjudicator or a person to whom the adjudicator has delegated powers or duties;

“(d) a health and safety representative or a committee member;

“(e) a worker selected by a trade union or trade unions or by workers to represent them; or

“(f) an employee of an association referred to in subclause 10c(1)(n)(ii) or in subsection 10e(1).”

The member for Hamilton East had moved a proposed amendment to the amendment, so speaking to either the amendment or the proposed amendment.

Mr Mackenzie: I think the arguments have been given for the amendment. I am sure it was an oversight on the part of the ministry, and provided that the amendment is accepted, we have no difficulty with the section.

Hon Mr Phillips: Mr Chairman, it was indeed an oversight and we have no difficulty with the member’s amendment.

The Second Deputy Chair: Let’s deal with the amendment to the amendment first.

Mr Mackenzie has proposed an amendment to the government amendment to section 33. Is it the pleasure of the committee that the motion carry?

Motion agreed to.

The Second Deputy Chair: Dealing with the government’s amendment to section 33, is it the pleasure of the House that the motion carry?

Motion agreed to.

[Later]

The Second Deputy Chair: It has been brought to my attention that we carried the two amendments to section 33, but not the section. Shall section 33 carry?

Section 33, as amended, agreed to.

Section 34:

The Second Deputy Chair: Mr Mackenzie moves that section 34 of the bill be amended by adding the following subsection:

“(1) Clause 37(1)(a) of the said act is repealed and the following substituted therefor:

“(a) a provision of this act or the regulations, including subsection 24(1) reprisals by employers.”

Mr Mackenzie: Where employers had been taking reprisals against the workers, they have had to go to the labour relations board to win the case. We think it should be a violation of the act, and this is the purpose of this amendment.

Hon Mr Phillips: I gather that the prohibition against it already is in the act. I am told that it is unnecessary because there is a prohibition against reprisals by employers. As I say, it already is prohibited by the act, and I gather the concern is that by adopting this it may restrict; it may have the opposite effect, and that is of implying restrictions elsewhere when the prohibition already exists, as I am told, in the act against reprisals.

1630

Mr Wildman: It is true that there is another section against reprisals, but the problem is that it has been suggested the workers have the right to use the other section for protection when in fact we believe that workers should be protected by the ministry and the government and it is the government's job to ensure that the act is enforced. In our view, the government should prosecute employers who harass workers. This is to make it clear that we want prosecutions. It should not be incumbent on the worker to get the protection he requires. It is incumbent on the government to enforce its own act. When there are violations to the act, the government should be prosecuting against the violators.

Hon Mr Phillips: The problem we run into is that there is a prohibition already in the act against reprisals. It is there. The problem we have is that if we were to accept this amendment, there may be—and there indeed are—lots of other areas where I think all of us would want to prosecute the employer. If we spell out just one aspect of things that we would want to be prosecuting the employer for, it implies that we should not be as diligent in other areas. So my concern is, as I say, by spelling out this one specific reprisal area—

Mr Laughren: That is a Liberal interpretation.

Hon Mr Phillips: Well, I think that people tend to look at these things and say, “Well, obviously that area was more important in terms of prosecuting employers than that area,” whereas I think there are many aspects of the act where all of us would want to ensure that we prosecuted the employer to the fullest. So, as I say, my concern is this is already in the act, it is already spelled out in the act, and to isolate this one aspect and highlight it I think implies that we would not want to do it as diligently in other areas.

Mr Wildman: I find that an intriguing explanation. It sounds to me like the minister is himself—and I had never understood this about him before—a veritable Robespierre in

that he wants to prosecute wherever possible, whenever possible, to the fullest extent of the law.

An hon member: Whoever possible.

Mr Wildman: And whoever he can prosecute. I never quite understood that to be his attitude towards employers in the province, or the attitude of the Ministry of Labour. He is concerned that if we were to set out one particular section and highlight it that this might in some way prohibit him from carrying out all of these other varied prosecutions that he would like to carry out under the act.

My only suggestion is that I do not think that we have any kind of a record on the part of the ministry of such widespread prosecutions. I just do not see any evidence of that. If there were, perhaps I could understand the minister's argument, but I do not see him out laying on prosecutions wherever possible.

Hon Mr Phillips: I guess I will go back over the same arguments I used, and that is that it already is spelled out in the act that this is prohibited, that we have that duty already spelled out in the act, and to isolate this one aspect of it, I think we run the risk of diminishing the importance of other aspects within the act.

I guess the other thing I would say, though, just for information, is that indeed the numbers of prosecutions have been up fairly substantially. I do not think any of us are out to prosecute for the sake of prosecuting, but we are out to enforce the act.

The Second Deputy Chair: Is it the pleasure of the House that the amendment carry?

All those in favour please say “aye.”

All those opposed please say “nay.”

In my opinion, the nays have it.

Vote stacked.

Sections 35 and 36 agreed to.

Section 37:

The Second Deputy Chair: Mr Mackenzie moves that paragraphs 8b, 8c, 8d, 8f and 21d of subsection 41(2) of the act, as set out in section 37 of the bill, be struck out.

Mr Mackenzie: This section would enable the government, without the amendments, to restrict who can sit on committees, the union executive members, where committees would be required or exempted and exempt workplaces from the right to shut down. We think that is simply not acceptable.

Hon Mr Phillips: I know this was the subject of considerable debate at the legislative committee hearings. On the one hand, it is seldom used. It does provide the minister with the opportunity, where there is an organization that already has in place health and safety procedures that perhaps have shown they are working well and may not be the exact model in Bill 208, to continue those. I appreciate the members opposite are not convinced that the minister having the discretion to do that is something they would like to see continue. As I say, the minister has had that discretion in the past as part of the existing Occupational Health and Safety Act, and as I say, it is seldom used but I think has not proven to be ineffective. So we would be continuing to support our original intent and voting against this amendment.

Mr Mackenzie: It is a basic argument that the regulation should not be empowered to cover or exempt workers and give this kind of authority to the minister to decide on the qualifica-

tions, as I say, or who sits on committees or you name it. We just think it is a dangerous move.

The Second Deputy Chair: Is it the pleasure of the House that the amendment carry?

All those in favour please say "aye."

All those against please say "nay."

In my opinion, the nays have it.

Vote stacked.

1640

The Second Deputy Chair: Mr Phillips moves that paragraph 21d of subsection 41(2) of the act, as set out in section 37 of the bill, be struck out.

Hon Mr Phillips: I suppose it is a rather technical motion. Paragraph 21d provided for exempting classes of workplaces from the stop-work provision. This power is now to be included in paragraphs 33 and 37.

The Second Deputy Chair: Is it the pleasure of the committee that the motion carry?

Motion agreed to.

The Second Deputy Chair: Mr Phillips moves that subsection 41(2) of the act, as amended by section 37 of the bill, be further amended by adding the following paragraphs:

"31. prescribing first aid requirements to be met and first aid services to be provided by employers and constructors;

"32. prescribing, for the purpose of clause 15(1)(gb), medical examinations and tests that a worker is required to undergo to ensure that the worker's health will not affect his or her ability to perform his or her job in a manner that might endanger others;

"33. prescribing classes of workplace with respect to which section 23b does not apply;

"34. prescribing the qualifications of persons whom a certified member may designate under subsection 23b(9);

"35. prescribing, for the purpose of subsection 23c(6), criteria for determining whether a constructor or employer has demonstrated a failure to protect the health and safety of workers;

"36. prescribing matters to be considered by the adjudicator in deciding upon an application under section 23c;

"37. prescribing classes of workplace with respect to which section 23d does not apply."

Hon Mr Phillips: This is designed to provide the regulation-making power. A number of new regulation-making powers are added to subsection 41(2) of the act around things such as first aid and enabling regulations prescribing safety-related medical examinations and tests for workers where the public or other workers are to be protected.

Paragraph 33 enables regulations exempting any class of workplaces from the bilateral procedure for stopping dangerous work. Paragraph 34 enables regulations that ensure that, where prescribed, there will be a qualified representative of management present when the management-certified member is absent to ensure that a joint stop-work directive can be issued.

Paragraph 35 enables regulations establishing the criteria to be used to determine if employers have failed to protect the health and safety of their workers, paragraph 36 enables regulations prescribing matters to be considered in decisions by the adjudicator, and paragraph 37 enables regulations that exempt classes of workplaces from the unilateral procedures.

Mr Mackenzie: It is the argument that I just finished making. I think that it would be better to see these provisions all in the act and not left for the regulations, which is one of the complaints we have with a lot of legislation in this province.

The Second Deputy Chair: Is it the pleasure of the committee that the motion carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Mr Wildman: Since we allowed the government amendment to carry without a division, we would be happy if they would please do the same for us.

The Second Deputy Chair: I do not think so.

Mr Laughren: I hear the minister nodding his head.

The Second Deputy Chair: Do not get involved.

Section 38:

The Second Deputy Chair: Minister, do you have a little problem with the proposed amendment?

Hon Mr Phillips: Yes. I gather we require unanimous consent to deal with this particular matter, as I indicated earlier in my remarks. This is subsection 38(1). Should I read the amendment first?

The Second Deputy Chair: You had better have unanimous consent first.

Agreed to.

The Second Deputy Chair: Mr Phillips moves that section 38 of the bill be amended by renumbering subsection (1) as subsection (1b) and by adding the following subsections:

"(1) Subsection 74(3) of the Workers' Compensation Act, being chapter 539 of the Revised Statutes of Ontario, 1980, is repealed, and the following substituted therefor:

"(3) For the purposes of this section, the following individuals shall be deemed to be employees of the board:

"1. The employees of designated associations formed under subsection 123(1);

"2. The employees of designated corporations for accident prevention, the members of which are employees within the meaning of section 123.

"3. The employees of safety and accident prevention associations described in subclause 10c(1)(n)(ii) of the Occupational Health and Safety Act.

"(1a) Section 74 of the said act, as amended by the Statutes of Ontario, 1982, chapter 61, section 12, and the Statutes of Ontario, 1984, chapter 58, section 26, is further amended by adding thereto the following subsection:

"(4a) For the purposes of this section, every employee who, on 10 April 1952, was in the service of an association or corporation described in subsection (3) shall be deemed to have become an employee of the board on the date on which he or she last entered the service of the association or corporation.

"(4b) On a day to be named by proclamation of the Lieutenant Governor, the employees of safety and accident prevention associations described in subclause 10c(1)(n)(ii) of the Occupational Health and Safety Act cease to be deemed to be employees of the board.

"(4c) Paragraph 3 of subsection (3) is repealed on a day to be named by proclamation of the Lieutenant Governor."

Hon Mr Phillips: The intent of this is to provide for the transitional period for the employees of safety associations, which currently come under the Workers' Compensation Board, and I gather they are participants in the pension plan at WCB. As we move to the establishment of our agency, the safety associations will come under the agency, but we want to ensure that during that transition period as the agency is established and it establishes its own pension plan, the employees of our safety associations continue to be in the pension plan of the WCB until we establish the pension plan for the agency.

That is, I am told, the intent of this, and the amendment is necessary to provide for an orderly transition of the employees of the agency from the WCB pension plan to a new plan, which of course has yet to be established but will be established.

Motion agreed to.

Section 38, as amended, agreed to.

1650

The Second Deputy Chair: Mr Phillips moves that the bill be amended by adding the following section:

"38a. The minister shall undertake a review three years after this section comes into force of,

"(a) the mandate of the Workplace Health and Safety Agency and the administration of its programs; and

"(b) the operation and effectiveness of sections 23b to 23d of the Occupational Health and Safety Act."

Hon Mr Phillips: I think this may be one of the reasons why we may find that some people believe we can get on with Bill 208, that two of the more complex areas of the bill will be reviewed in three years. There has been some concern about whether the agency, for example, needs a chair or not. There has been a lot of debate here around the bilateral and unilateral right to stop work. There are strong opinions on many sides of those two issues. I think all of us believe—I should not say "all of us." I believe that the bill will work very well. Some have some concerns about certain aspects, and we have taken the two most significant aspects of the bill and committed ourselves to a review of those after three years. That is what this motion is intended to do.

Mr Mackenzie: One is generally of support. The bill probably would not have been saleable without the idea of a review in three years. Normally, when we end up with a major change in health and safety legislation, as in much legislation in this province, we are locked into it for the next 10 years before we see any meaningful changes. This does give a review. I am wondering, though, whether specifically it gives a review also of the most contentious issue, the right-to-refuse section. I would like to know whether or not the minister will give me an answer on that.

Hon Mr Phillips: It is designed to deal with the bilateral and unilateral stop-work provisions. The intent of section 23b to 23d of the Occupational Health and Safety Act deals with those two areas, so tangentially it deals with it because the right to stop work is very closely linked to the right to refuse work. I think one of our major debates here has been around the unilateral versus the bilateral right to stop work.

That is what we had intended the review to contain. I suppose inevitably part of the review is, that ends up being linked to it, because I think the right to stop work bilaterally and unilaterally is very closely linked to the right to refuse.

Mr Wildman: Tangentially, am I to understand that the minister's position throughout this piece is that he is opposed to the unilateral right to stop work?

Hon Mr Phillips: No. In fact, in the bill, as the member knows, we have established that unilateral right to stop work for organizations that meet certain criteria.

Mr Mackenzie: Just as we draw to the close of the clause-by-clause part of this debate—I gather we are going to have the votes on the deferred sections on Monday—I simply want to say that this section may take on a lot more importance than many of us in this House realize. There are still grave reservations about many parts of this bill.

This bill is not as good as the bill we originally had submitted to this House by the previous Minister of Labour. I think all of us know that. I think the workers are concerned over that fact. If they are wrong and if we are wrong, the next three years will show it. If they are not wrong, then I would hope that this section is a commitment of this government to recognize the mistake that may very well have been made with the bill here today.

Motion agreed to.

Section 18:

The Second Deputy Chair: It has been brought to my attention that the member for Mississauga South had obtained unanimous consent for further discussion of section 18 with a proposed amendment.

Mrs Marland moves that subsection 19(2) of the act as set out in section 18 of the bill be amended by striking out "an architect as defined in the Architects Act, 1984 and a professional engineer as defined in the Professional Engineers Act, 1984" in the first three lines and inserting in lieu thereof "a person."

Mrs Marland: When I moved a similar motion earlier this afternoon, because of the wording, the motion was out of order. At that time, by the graciousness of the Chair, I was allowed to speak, even though it was out of order. At that time the minister responded to my concern, which is that in section 18 of the bill as it is presented to the House, it identifies two professions, namely the architects and professional engineers. That whole section, in fact, is redundant. The kind of protection that is laid out in that section in terms of liability on the part of an architect or an engineer is already part of the acts that govern those two professions, so it is not necessary to have them identified in the bill in the way they are.

At that time, the minister was advised by his staff that the ministry staff had indeed discussed this with the Ontario Association of Architects and the Association of Professional Engineers of Ontario, and possibly the Consulting Engineers of Ontario. I am not sure about the last association. The minister can speak for himself on that.

In any case, I would like to be very clear about who it is that the minister's staff have spoken to, because if in fact they have spoken only to the professional engineers' association, they are speaking only to the licensing body of professional engineers. They have not spoken to the membership of the professional association for those engineers. My office has been speaking to a board member by the name of Murray McInroy on the Canadian Society for Professional Engineers.

Frankly, if professions are going to be addressed in a bill in as significant a way as this will be if it is left in its present wording, the expectation would have to be that the ministry

would have called those associations and cleared that wording with them, I think, out of respect to both associations, both the architects and the engineers.

To support my amendment, I do not think, is going to upset the rest of the bill or have any direct impact on the rest of the bill, and I await the comments of the minister.

1700

Hon Mr Phillips: As I said earlier, these groups are obviously crucial to health and safety in the workplace, and this is wording that has been around for some considerable period of time, including at the committees.

I am told that as recently as this afternoon we had confirmation that the three groups found this wording acceptable, the three groups being the Association of Professional Engineers of Ontario, the Consulting Engineers of Ontario and the Ontario Association of Architects.

The overriding thing is, how do we do the best we can to ensure health and safety in the workplace? How do we ensure that in these important areas we have it and yet recognize that we are dealing with professional bodies here and respecting their professional role? As I say, I think we have married the two here, and the wording, I am told, is acceptable to those bodies.

Mrs Marland: What is of concern to me is that, first of all, the ministry did not approach these bodies, as I understand it. These professional associations responded to the bill.

I recognize that we are dealing with it at the 11th hour and that is because it has only just been brought to my attention.

The point I am trying to make with the minister is that, as of 2 o'clock this afternoon, the two or three organizations that his staff spoke to—first of all, they have not spoken to the Ontario Association of Architects. It is my understanding that they have spoken to the Association of Professional Engineers of Ontario and the Consulting Engineers of Ontario, which in turn have said, "We have been talking to the Ontario Association of Architects." I do not think it is up to those associations, which are both named in here, to be speaking for each other. If the minister is doing a clean, responsible job, he should be addressing those professional associations directly himself.

The more important point is that those organizations that he has mentioned are the licensing bodies. It is like going to the Royal College of Dental Surgeons of Ontario and asking their opinion and not asking the Ontario Dental Association, or going to the Royal College of Physicians and Surgeons and not asking the Ontario Medical Association. They are different bodies. One is a licensing body and one is a professional association.

The minister's staff should be able to tell him that this section is redundant anyway, because the liability that the minister is trying to enshrine in here is in the very statute under which they are allowed to be engineers and architects in Ontario.

And why just those two professions? The minister is talking about occupational health and safety. What about the doctors? He does not name the doctors in this bill. He does not name the doctors, probably for the reason that I am giving him, that in order to practise architecture, in order to be an engineer or in order to practise medicine in this province, it does not matter whether they are practising under this statute in this area of the workplace. They practise under the overall statute that governs the practice of medicine, engineering and architecture. Surely the minister's staff should be able to clear that up for him.

Hon Mr Phillips: As I recall it, at the committee hearings and at the legislative committee when we dealt with this in clause-by-clause, it was discussed at some length there. This is not something that is newly sprung on anyone. My recollection is, and the Chairman can refresh our memories, that we had considerable debate on it. I think the bodies have had an awful lot of time for input into this, in fact probably six months or so, and I think it was the direction of the legislative committee that confirmed this.

It would be our intent to oppose the proposed amendment and to stick with this original wording. As I say, I am not at all concerned that we have not broadly debated it. Both the bodies came before the legislative committee, I understand. The legislative committee heard them. We considered their comments. We have wording here that I think they can accept, and perhaps equally important or more important, we think strengthens our Occupational Health and Safety Act. I would not want anyone to be under the misapprehension that this has not been widely debated. The committee has had strong input into it and I think we will continue to support the wording as proposed originally.

Mrs Marland: I am not standing here this afternoon and saying to the minister: "This bill has been around for six months. Why are you now bringing amendments today?" I am not playing that game. I am not saying to the minister, "How come, if it has been around for six months, you bring in an amendment today?" I was very co-operative. He brought in an amendment today which frankly made sense, but I agreed to deal with an amendment that he brought into the House this afternoon. I did not turn around and say to him: "It has been around for six months. How come you are just bringing it now?" In fairness, he should not criticize me or this professional body for bringing in an amendment today. This is what the committee of the whole House is all about.

When the minister says that he is aware that this has been very thoroughly discussed at the committee level, I was at all the committee meetings and what I am telling him is that these concerns may have been addressed with him at the committee or with his staff, but it is one organization that has been dealing with it.

I am saying to the minister that the Canadian Society for Professional Engineers is not happy with it. I am saying to him that he is dealing with the licensing body, and he is saying to me: "Well, it had six months to bring this to us. There has been a lot of debate on it." I am saying that there has not been a lot of debate on it, and what I do not understand is why the minister's staff cannot explain to him why it is that it is redundant.

Can the minister tell me, if he is going to identify the architects and the engineers, why he is not identifying physicians and surgeons if we are dealing with occupational health and safety? I think it is very unfair that he is throwing back the argument about how long it has been around and who has dealt with it. What I am here telling him is that the Canadian Society for Professional Engineers had not dealt with it.

They may have made a presentation assuming that their concerns were going to be addressed, but if the minister's staff has not even spoken to them and there has been no follow-through and yet he identifies two professions in his bill, I think it is pretty shoddy. I really think in fairness that if his government is interested in good working relationships with professional organizations in this province, and I certainly hope it is—we certainly know what the Liberal government has done in terms of disfranchising the medical profession in Ontario—if it wants to go ahead it can alienate two other professions if it does not wish to deal fairly with them.

1710

The ludicrous part about this debate for the last 10 minutes is that it is not even needed. The minister's staff must know under what provincial statutes people are allowed to be architects and practise architecture, or people are allowed to be engineers and practise engineering. The minister must know that those statutes supersede anything that comes under this bill, Bill 208 that is before the committee of the whole at this moment.

I am simply asking the minister, if he is so hung up about identifying those two professions, why on earth can he not support my wording, because my wording simply says "a person." If he wants to interpret "a person" as a doctor, an architect, an engineer, a plumber or whatever, he can. So what is so wrong with supporting my amendment which simply says "a person"? The minister can then interpret it into those professions if he wishes.

Hon Mr Phillips: I did not want to upset the member. What I was attempting to suggest was that groups sometimes, when amendments come in at the final—I am not suggesting the member's amendment; I am suggesting our wording in section 18. What I am suggesting is that wording has been out there during the standing committee hearings and since the legislative committee hearings. I was just trying to suggest to all members that it is not something that suddenly has been put on the table at the last minute. It has been out there for some considerable period of time.

Under section 19 of our act what we attempt to do is to hold people who have a responsibility for supplying things, devices, machinery and tools also accountable. It is not just the employer; we try to hold suppliers who may contribute to a health and safety problem in the workplace. Frankly, I guess we feel that there are suppliers of machinery, but there are suppliers of the environment that workers are in, and therefore architects and engineers are involved in that. As I say, that is why we propose this. That is why the committee debated it at some length and we think it would be a mistake now to back off of it.

Mrs Marland: I did not think this was going to be such a big deal. What is happening here is ludicrous, especially now that we are dealing with section 19 in the reference that the minister has just made, because I am quite sure that all of those architects and engineers who have spent years of investment in time and money receiving their education in order to practise in those professions in this province will be very pleased to hear that the reference to them comes into this category:

"Every person who supplies any machine, device, tool or equipment under any rental, leasing or similar arrangement for use in or about a workplace shall ensure,

"(a) that the machine, device, tool or equipment is in good condition;

"(b) that the machine, device, tool or equipment complies with this act and the regulations; and

"(c) if it is his responsibility under the rental, leasing or similar arrangement to do so, that the machine, device, tool or equipment is maintained in good condition."

Now what on earth that has to do with engineers and architects I would like to know. We are dealing with professional advice. We are not standing up here saying every hospital bed and every aspiring machine, every piece of equipment in a hospital. I do not understand what the minister is making the relation to. Can he please tell me what is wrong with changing the wording to "a person"? He can still apply it to engineers and architects if he wishes. My amendment is simply asking him to

support the changing of the wording to "a person." If he wants to look at it in the true context of the words, which is all we are dealing with, it in fact gives him a broader scope.

I am not disputing the fact of how long this has been around. That is not the issue and that is not what committee of the whole is all about anyway. So why can he not support changing the wording to "a person" and then apply it wherever he wants in terms of architects or engineers or anyone else? Why can he not?

The Second Deputy Chair: No further discussion? I am going to have to put this to—

Mrs Marland: Well, Mr Chairman—

The Second Deputy Chair: The minister does not want to respond. What can I do?

Mrs Marland: I know you cannot make the minister speak, but I expect the minister to reply to a fair question. He has not answered why he cannot support the wording of "a person." Is a professional engineer or a professional architect in this province not a person?

Hon Mr Phillips: At the risk of prolonging it unnecessarily and at the risk of repeating myself, as I said before, as we drafted the bill and as the committee debated it we found that these two professions are extremely important in health and safety and that is why we have specifically designated them and specifically spelled them out in the act. I cannot be any more specific than that.

Mrs Marland: Can I ask, then, if there are any other professions that are important to this act in the opinion of the minister?

Hon Mr Phillips: These are two that we identified. As I say, we debated it at length in city after city across the province for I guess six to eight weeks, and then we had clause-by-clause debate here with our standing committee on resources development, led by the member opposite. It was after all of that debate and at the recommendation of the legislative committee that this is in here, certainly with our support.

Mrs Marland: The Hansard will show that we did not debate this aspect and this section in city after city across this province. I sat on this committee that travelled to city after city across this province and this particular section was not one of the sections that was highlighted across the province. Even if it was, are we not dealing with committee of the whole for the purpose of amendments? The fact that the government brought in—how many amendments did the government bring in on this poorly written piece of legislation anyway in the end? A large number of amendments.

The fact is that the minister has not explained to the professional engineers and the architects of this province why they have been singled out and why they are being identified, nor has he explained why they are not persons, why he cannot accept the word "persons." But more important, would he please tell me under what acts in this province pertaining to the practice of architecture and the practice of engineering is the public not protected? Does he know under which statutes engineers and architects work and practise their profession in this province?

If he does, he must know that what he is trying to cover off in this section is already covered. If it is not, then would he please tell me why it is not? It is a fair question. He is not telling me, he is telling all the architects and engineers in Ontario why they are being singled out in his bill. If the answer is

because their own statutes for practice do not protect the public, then that is a fair answer, but he should give us the answer.

The Second Deputy Chair: The minister has indicated that he has already responded. The member has moved an amendment to section 18. Shall the proposed amendment by Mrs Marland carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Section 18 agreed to.

Section 39 agreed to.

The Second Deputy Chair: I have been advised that we should wait for section 40 until after the division, on Monday I believe.

On motion by Mr Phillips, the committee of the whole House reported progress.

The House adjourned at 1721.

ERRATUM

No.	Page	Column	Line	Should read:
46	1756	2	5	Weechi-it-te-win, Tikinagan, Payukotayno in the north, the impact

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexender, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaitre, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Members: Gilles Pouliot, E. Joan Smith and Noble Villeneuve

Clerk: Smirle Forsyth

CONTENTS

Thursday 14 June 1990

Private members' public business

Employment Equity Act, 1990, Bill 172	1765
Mr B. Rae	1765
Mrs Cunningham	1766
Mr Curling	1767
Mr Philip	1767
Mr Sterling	1768
Mrs Sullivan	1768
Ms Bryden	1769
Mr Velshi	1769
Mr R. F. Johnston	1770
Second reading agreed to	1777
Mental Health Amendment Act, 1990, Bill 173	1771
Mr Callahan	1771
Mr Reville	1772
Mr Sterling	1773
Mrs Cunningham	1773
Mr Dietsch	1774
Ms Oddie Munro	1775
Mr Wildman	1776
Second reading agreed to	1777

Members' statements

Education of hearing-impaired	1778
Mr R. F. Johnston	
Agriculture industry	1778
Mr Villeneuve	
Skills training	1778
Mr Owen	
Budget	1778
Mr Allen	
Human Rights Code	1778
Mrs Marland	
City of Mississauga	1779
Mr Mahoney	
Forest management	1779
Mr Laughren	
Constitutional accord	1779
Mr Cousens	
Natural gas supply	1779
Mr Tatham	

Oral questions

Social assistance	1780
Mr B. Rae	
Mr Beer	
Employment equity	1781
Mr B. Rae	
Mr Wong	
Hospital services	1781
Mr Eves	
Mrs Caplan	

Non-profit housing	1782
Mr Brandt	
Mr Sweeney	
Child care	1783
Mr Allen	
Mr Beer	
Mrs Cunningham	
Hydro rates	1784
Mr Mahoney	
Mrs McLeod	
Water quality	1784
Mrs Grier	
Mrs Caplan	
Air travel industry	1785
Mr Runciman	
Mr Kwinter	
Child care	1785
Mr Callahan	
Mr Beer	
Central Stamping Ltd	1786
Mr D. S. Cooke	
Mr Kwinter	
Biomedical waste disposal	1786
Mrs Marland	
Mrs Caplan	
Ontario Hydro environmental assessment	1787
Mr Charlton	
Mrs McLeod	
Education financing	1787
Mr Cousens	
Mr Conway	

Petitions

Goods and services tax	1788
Mr Pouliot	
French-language services	1788
Mr Grandmaitre	
French-language school board	1788
Mr Poirier	

First readings

Education Statute Law Amendment Act, 1990,	
Bill 221	1788
Mr Conway	
Agreed to	1788
Ottawa-Carleton French-Language School Board	
Amendment Act, 1990, Bill 222	1788
Mr Conway	
Agreed to	1788
Livestock, Poultry and Bees Damage Compensation Act,	
1990, Bill 223	1788
Mr Ramsay	
Agreed to	1788

John Graves Simcoe Memorial Foundation Repeal Act,**1990, Bill 224 1788**

Mr O'Neil

Agreed to 1788

Committee of the whole House**Occupational Health and Safety Statute Law Amendment****Act, 1989, Bill 208 1789**

Mr Mackenzie 1789

Mr Wildman 1789

Mr Phillips 1790

Mrs Marland 1791

Reported 1804

Other business**Visitor 1783**

The Speaker

Business of the House 1789

Mr Ward

Adjournment 1804**Lists of members****Members and their responsibilities 1805****Committees of the Legislative Assembly 1808****TABLE DES MATIÈRES**

Le jeudi 14 juin 1990

Pétition**Conseil scolaire de langue française 1788**

M. Poirier

Première lecture**Loi de 1990 modifiant la Loi sur le Conseil scolaire de
langue française d'Ottawa-Carleton 1788**

M. Conway

Adoptée 1788

**Loi de 1990 sur l'indemnisation en cas de dommages causés
à du bétail, à des volailles et à des abeilles 1788**

M. Ward

Adoptée 1788



48 1990

48 1990



Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Monday 18 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le lundi 18 juin 1990

Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

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Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Le Journal des débats rapporte en anglais ou en français les débats, selon la langue utilisée par les participants. Les remarques faites en l'une ou l'autre langue ne sont pas traduites. La langue des en-têtes et de la table des matières reflète la langue utilisée.

Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 18 June 1990

The House met at 1330.

Prayers.

VISITOR

The Speaker: Just before I call the first order, I would like to draw the attention of the House to our visitor at the table, Doug Schauerte, clerk of committees of the Legislative Assembly of the Northwest Territories, who is visiting us under the attachment program in the Clerk's office.

MEMBERS' STATEMENTS

SENIOR CITIZENS' FACILITIES

Mr Kormos: On Sunday, down in Welland, I was at the 24th annual picnic at Sunset Haven. It is a senior citizens' home, and, I tell members, one of the finest in the province. We, along with the residents of the home and their families and friends and the volunteer staff, the auxiliary that works so hard to make this event possible—as I said, for 24 years—were outside in the hot sun.

The pleasantness of the day was marred when Tony Mete told me, as I should have known, that his father-in-law, Mr Kit, although he enjoyed the heat and the sun outdoors, has to endure heat of not just 70 but 80 and 90 degrees, sometimes up to 100 degrees, in the non-air-conditioned halls and rooms of Sunset Haven. That is not unique to senior citizens' homes. Our hospitals, and once again, Welland County General Hospital, one of the newer hospitals in the province, similarly have large wings which are not air-conditioned and in which the patients and the staff have to endure stifling heat, not just hour after hour but day after day.

It is remarkable that in 1990 few of us would think about buying a car without air-conditioning or about living in a home without air-conditioning, but we force our seniors and our sick people to live, on a day-to-day basis, in stifling and sometimes even deadly heat. Why does this government not get off its butt and do something about funding for those institutions so they can be properly air-conditioned?

JANET ENRIGHT

Mr Cousens: It is with a great deal of sadness that I rise today to express my party's sympathy at the passing of Janet Enright.

As general manager of Theatre Plus in Toronto, Mrs Enright made a significant contribution to the arts and to our culture. Her enthusiasm and passion for the arts was evident as she worked tirelessly to bring exciting new works to the 1990 season at the St Lawrence Centre.

However, her accomplishments went much further than her position with Theatre Plus. From 1974 to 1989, she worked in both the broadcast and print media as a journalist and during the 1970s as a researcher for Time magazine in Montreal and as an editor at Maclean's in Toronto. She was also a cultural producer for CBC's The Journal and CBC radio's Morningside. For the past two years Mrs Enright wrote a column in the Toronto Star on parenting.

Seven years ago Janet—whose husband, Michael, is host of CBC radio's As It Happens—gave birth to their daughter

Nancy. For her 40th birthday she held a fund-raising gala and raised more than \$15,000 for the Nancy Enright fund, named for her developmentally handicapped daughter. Today, with the assistance from this fund, a program is run by the city of Toronto at Swansea Community Centre. Here, children like Nancy can stay for a two-week period to give their parents and families some respite from the stress associated with their care.

On behalf of the Ontario Progressive Conservative caucus, I extend our condolences to her family: her husband, Michael; her children; her mother, Jean Leaman; and her sisters, Nancy Leaman and the Honourable Barbara McDougall, Minister of Employment and Immigration. She will be sadly missed.

TOURETTE SYNDROME AWARENESS MONTH

Mr Neumann: June is Tourette Syndrome Awareness Month in Canada. Tourette syndrome, a multiple-tic disorder of neurochemical origin, manifests itself in involuntary behaviour such as motor tics and vocalizations. Early diagnosis is critical. Misdiagnosis can lead to the wrong treatment and thus to severe psychological problems.

While there is no known cure for this lifelong disorder, drugs are becoming more effective in controlling the symptoms in many cases. Public awareness can help to create tolerance and understanding for the Tourette sufferer. There are many undiagnosed children and adults in our society. Greater awareness can lead to proper diagnosis. Frustrated families and individuals will then understand what they are facing and will learn to cope effectively.

I speak from experience in this matter in that a member of our family was diagnosed after my wife and I read an article in the Toronto Star a couple of years ago. I can say that since establishing a Tourette Syndrome Foundation of Canada chapter in our community, a number of adults have come forward and have diagnosed themselves and had it subsequently confirmed by doctors.

Indeed, at the recent annual meeting of the Tourette Syndrome Foundation in our community, Dr William Fulton of Hamilton indicated that the most debilitating factor for Tourette syndrome sufferers is dealing with the reaction of others to their behaviour, and therefore it is very important to create public awareness of Tourette syndrome.

CHILDREN'S HEALTH SERVICES

Mr Farnan: I want to bring to the attention of the Minister of Health the case of a boy who was admitted to a Montreal hospital where a magnetic resonance imager was not available. Waiting for an MRI, the paralysis became permanent. The child is now a quadriplegic, and this could have been prevented if an MRI was available immediately.

In Ontario there is an eight-month waiting list for this diagnosis. Ontario parents like those of Lindsay Remnant, fearing for their children, are being forced to go to Buffalo for diagnosis. They are being forced to pay 25% of the cost of the \$750 in addition to travel and accommodation.

The Ministry of Health will cover 100% of the cost only in an emergency. However, we must ask the Minister of Health what constitutes an emergency. Surely, if a child cannot lead a normal life such as attending every day of school or social

functions due to being in a lot of pain, does that not constitute an emergency? These children cannot afford to wait eight months for MRI diagnosis. How can the Minister of Health justify sending approximately 400 children a year from this area to Buffalo?

What constitutes an emergency? Is it life and death? If we are talking about the limbs of a child, does being a quadriplegic mean that those limbs are dead? Surely these children should have 100% cost for their care.

1340

RECYCLING

Mr McLean: My statement is for the Minister of the Environment and it concerns a publication I recently received from his ministry. Like all members of this House, I received a brochure outlining the publications from the Ministry of the Environment. On the cover of this brochure are the words "printed on recycled paper." I am pleased that this ministry is using recycled paper at least in some cases. My difficulty is that this small brochure arrived at my office in an envelope that measured 13 inches by 10 inches. As I can tell, the envelope was not made from or printed on recycled paper. I cannot think of a better example of a minister saying, "Do as I say, not as I do."

I would like to take this opportunity to give the minister an example of show and tell, or in the minister's case it should be called think and do, which most young people are familiar with. The minister can see that just by folding this envelope over once, he could have saved 50% of the packaging he wasted with this one mailing to me.

The minister claims he is placing a greater emphasis on the 3Rs—reduce, reuse and recycle. This recent mailing is a clear indication that the reduction aspect of the 3Rs has taken a back seat to the Minister of the Environment's obsession with recycling. The minister should clean his own backyard before he tells the people of Ontario to get their houses in order, and show some leadership.

BOOK PRESERVATION

Mr Faubert: As we sit in the House today, an important part of our culture and heritage is quietly disintegrating at an alarming rate. Millions of books are deteriorating in Canadian libraries, and librarians are alarmed at the fast pace that this is taking place. Modern paper is weaker and due to its acidic base is more subject to deterioration than paper made before the 19th century.

This acidic problem is destroying our books within as little as 30 years. To combat this, librarians are advocating a number of possible solutions. Treatment plants can remove acid from paper. One such plant does exist in Ottawa, but more are needed. Other ways to preserve our books are controlling environmental conditions in our libraries, consistent cleaning of materials, using higher quality, more stable raw materials in the production end, improving the manufacturing process, improving methods of storage and handling and considering such processes of preservation as de-acidification, microproduction and computer technology.

Preserving our heritage should be a priority for all levels of government. Librarians are calling for a national book preservation strategy. Such a strategy should be established by the federal government which would need to involve the participation of the provinces and municipalities across our country. However, since 60% of Canada's libraries are here in Ontario, I

would urge the Minister of Culture and Communications to take a lead in encouraging and co-ordinating such a preservation and conservation program in this province. The problem is known, the causes and cure are apparent. What is needed is remedial action now.

AIR SERVICES FOR THE DISABLED

Miss Martel: In February 1990 Air Canada eliminated its DC-9 air service to Sudbury, replacing it with small commuter aircraft. The loss of that service, combined with the loss of Air Canada agents, was a blow to our community. But the shift to smaller aircraft has also caused tremendous problems for people confined to wheelchairs who require air service. Many of these passengers are travelling to southern Ontario for needed medical care.

For the physically disabled it is next to impossible to board, disembark, move about or store wheelchairs in a small aircraft. The lack of mechanisms to deal with access problems for the elderly, the physically disabled and those confined to wheelchairs is a form of discrimination which both the provincial and federal governments must respond to.

Mid-Canada Equipment of Winnipeg has developed a prototype platform lift system to be tested at two Canadian and three US airports. This is a first step and one which must be encouraged. The Canadian federal Department of Transportation is also working with the US Federal Aviation Administration to develop a transfer chair. The National Transportation Agency of Canada has now convened a committee to study aircraft accessibility. However, the disabled continue to find aircraft travel being denied to them. The National Transportation Agency has received complaints from northern Ontario residents who cannot access small commuter aircraft.

I wrote to our Minister of Transportation on 28 May to ask what action he plans to take to ensure the needs of the disabled residents will be met. The minister must involve himself in this matter to end the discrimination which does exist.

CABINET MEMBERS

Mr McCague: I was flipping through the spring issue of Sandesh magazine when I saw a letter from the honourable member for Downsview, reportedly Ontario's Minister of Culture and Communications. This will be news to most of us who thought, until her recent hasty departure, that portfolio had been filled by the member for York East. Clearly, our friend the member for Downsview was anticipating that the Liberal government would, in the not-too-distant future, be Hartless and got an early jump on his campaign for that soon-to-be-vacant position.

For all we know, he already has been appointed and the Premier has simply forgotten to tell us. The Premier loses cabinet ministers like overshoes. It must be difficult for him to remember at any given time who is in, who is out or who is on the way out of his cabinet, and to keep straight which of his cabinet colleagues he is going to hang, as in the case of the member for York East, or hang with, as in the case of the member for London South.

The Premier is confused. The member for Downsview is confused. The public is confused. Things could be worse, however; if we had a shuffle every time a member of this cabinet stumbled, they would be playing musical chairs in the Premier's office on a daily basis.

ZEBRA MUSSELS

Mr Riddell: As chairman of the interministerial steering committee on zebra mussels, I would like to tell the House about the public information program being conducted to help prevent or slow the spread of this pest.

As members know, zebra mussels have invaded the Great Lakes and could spread to inland waters. They are causing millions of dollars' worth of damage to water intake and outlet pipes and threaten to cause serious damage to our fisheries.

The ministry's communications efforts are designed to inform municipalities, anglers, boaters and other water users about the problems zebra mussels will cause and how best to deal with them.

The ministry has prepared a detailed guideline and fact sheet to encourage anyone moving live bait fish or equipment from the Great Lakes to help slow or prevent the spread of zebra mussels, particularly into inland waters.

It has produced posters, outdoor signs and brochures and will be distributing these to marinas, yachting clubs, fishing licence issuers and businesses in docking areas.

It has produced public service announcements for radio and television stations across Ontario. It is producing displays, videos and slide shows and is placing ads in the summer issues of cottaging, fishing and boating magazines.

It has invited experts on zebra mussels to provide its field staff with the latest information so staff can quickly and effectively pass on this information to the public. It is also maintaining close links with agencies in the United States to ensure that information is being shared internationally.

These efforts are part of the government's comprehensive approach to addressing the zebra mussel problem.

Hon Mr Phillips: I wonder if I could have unanimous consent of the House for all parties to make statements with regard to the visit of the deputy president of the African National Congress, Nelson Mandela.

Agreed to.

NELSON MANDELA

Hon Mr Phillips: I guess there are really few experiences in our lifetime that we will for ever remember as high points of our existence. I feel I can say today that this is indeed one of those rare occasions—not only for me personally but, I think it is fair to say, for all of us who are assembled here today—to honour Nelson Mandela.

Nelson Mandela is an individual who brings to mind images of resistance, fortitude and hope. He is an individual who has become a true symbol and a real inspiration for us all, a symbol of resistance to injustice, discrimination and the violation of basic human rights. He indeed is a symbol of fortitude and courage in the face of adversity and suffering. He is a symbol of integrity, fidelity to principle and, perhaps most important, hope that justice ultimately will prevail.

We are here today to welcome Mr Mandela and Winnie Mandela. We are here today to tell them how the province is honoured by their visit and how so many of us have long awaited this visit. But more than anything, we are here today to open our hearts to their example and to express our support for their vision of a free and just society for people all around the world.

1350

They have sacrificed, and Mr Mandela has sacrificed personally almost 30 years of his life to ensure that his children

and grandchildren would be able to enjoy what he was so cruelly denied. During those long years of captivity, and indeed humiliation, he has had the unrelenting support of his friends, his family and all the people around the world who share his ideals.

Nelson Mandela's sacrifice was not in vain. Indeed, as time passed and the 'international anti-apartheid campaign gained momentum, more and more he became an inspiration for people around the world who were struggling against injustice and oppression. We are fortunate in this province, and indeed in this country, to be the beneficiaries of the work and dedication of people from all origins, from all backgrounds and from all cultures.

Mr Mandela, there are no words to express our deep admiration and respect for you and your cause. Humanity is indebted to you for your personal sacrifice, which will be remembered by many generations to come.

On behalf of the people and the government of Ontario, I warmly welcome Mr Mandela to our province. I thank him for his visit and I sincerely wish him and Mrs Mandela, on behalf of all the people of Ontario, health, happiness and success.

Mr B. Rae: I am sure that all members of the House who were here will remember with great emotion the visit to our assembly of Bishop Desmond Tutu, the Anglican Archbishop of South Africa who was here as he was travelling around the world raising the attention and the eyes of the world on the situation in South Africa.

I can vividly recall the words that Desmond Tutu said on that occasion when he reminded us that he was far more able to speak to democratic assemblies around the world than he was in his own country. Indeed, it was an interesting and to me very evocative echo of that remark when I watched Nelson Mandela this morning, as I am sure many members were watching, as he spoke to the House of Commons, and made note of the fact that while he was honoured to be able to speak to the Canadian people and the elected representatives of the Canadian people, he was not able to do so in his own country, nor had he ever been invited to in his own country, nor had he ever been invited as a guest in his own country to speak to people who were elected in South Africa.

I do not normally do this, but I endorse every word that was spoken by the Minister of Labour today. He was speaking on behalf of all of us when he said how proud he was of the fact that Toronto, and indeed Queen's Park, is going to be a home temporarily for Nelson Mandela as he reminds all of us of how much is still to be done in South Africa.

Nelson Mandela is a hero to hundreds of millions of people around the world. He is a hero because he has had the courage of his convictions. He is a hero because he has been prepared to suffer for what he believes. He has been a hero because he has demonstrated to everyone that integrity is a value that can be found in public life. He is a hero because he has understood the importance of the basic human virtues of courage, of goodness, of love, and of all things a love for justice.

Together with all the other citizens of this province, I join in the celebration of the visit of Nelson Mandela to this province and to Canada. I hope it makes us redouble our efforts as we work together with the people of South Africa for the end of the apartheid regime and for the creation of a united and democratic South Africa where the principles of liberty, equality and fraternity will be embraced, recognized and given the kind of strength in a new constitution that they so desperately need.

C'est un plaisir pour moi de dire combien nous sommes fiers de la présence, ici en Ontario et même à Queen's Park, de M. Mandela. C'est un homme extraordinaire et courageux qui a un amour pour la justice et pour ses concitoyens dans le monde et qui est maintenant un exemple pour tous les gens et tous les citoyens du monde.

Nous célébrons l'arrivée de M. Mandela et en même temps nous nous consacrons encore une fois à la cause de la justice, à la cause d'une nouvelle démocratie pour l'Afrique du Sud et à une nouvelle constitution, constitution de justice et de démocratie pour toute la population de l'Afrique du Sud.

Mr Brandt: I would like to join with my colleagues in the other two parties by extending a very warm welcome to Nelson Mandela as he comes to Canada and to Ontario, and also on behalf of the Ontario Progressive Party.

The name Nelson Mandela has become synonymous with integrity and with dignity. During those long 27 years in prison he refused to compromise his beliefs and refused to bend under the incredible pressure that was brought to bear on him. He would not accept personal freedom if it meant that he had to betray his ideals and his people.

Our Prime Minister has called Nelson Mandela an authentic hero. It is truly outstanding that he has survived the ordeal to which he was subjected and has come through in such remarkable physical and emotional health. Mr Mandela has said as he arrived here in Canada that he brings a message of hope, that he does in fact see a light at the end of the tunnel. That is indeed good news for all people throughout the world who value freedom.

The government of Canada has supported Nelson Mandela's goals by initiating and sustaining many economic sanctions against the South African government's policy of apartheid. Mr Mandela believes that the sanctions applied by many countries have helped bring about some changes in attitude, as well as his own freedom. His message to us is to continue the economic sanctions and to keep up the pressure, because the battle against apartheid is still far from over.

He has said that he has travelled here to Canada to say thank you to the many ordinary Canadians who have helped both him and his country, but it is we who should be saying thank you to him. Thank you for showing us what commitment and dedication to a cause really mean. Thank you for showing us that one person can truly make a difference.

We hope and pray that the delicate negotiations with the South African government will continue and eventually lead to a true democracy, as well as equality and freedom for all the people of South Africa.

All of us look forward to meeting the man who is a legend in his own time. His presence among us is a great honour and we respectfully pay tribute to Mr Mandela on his success to date, as well as the success this giant among men will no doubt achieve in the future.

STATEMENTS BY THE MINISTRY

OCCUPATIONAL HEALTH AND SAFETY WEEK

Hon Mr Phillips: As honourable members will know, today marks the beginning of Canadian Occupational Health and Safety Week.

The aim of Occupational Health and Safety Week is to make all Canadians conscious of the vital need for sound health and safety programs in our workplaces. Throughout the week there will be organized campaigns across the country to in-

crease this awareness among employees, employers, the general public and the news media.

This is the fifth anniversary of the event. It is spearheaded by the Canadian Society of Safety Engineering, with support from the Canada Safety Council, the Canadian Standards Association and the Canadian Centre for Occupational Health and Safety.

We are privileged to have in the members' gallery John Irwin, the chairman of the Ontario steering committee for Canadian Occupational Health and Safety Week. Mr Irwin is a health and safety inspector with Nova Petrochemicals in Sarnia. You might recognize Mr Irwin; there he is there.

On behalf of the government, I would like to commend these organizations for their commitment to the promotion of health and safety in the workplace.

This year's theme, "The Young Worker," is particularly appropriate because the campaign begins at a time when many young people are looking for their first full-time job or for summer employment. Statistics show that more young people are hurt on the job than older workers, so there is no better time for workers to learn the importance of occupational health and safety than early in their work life.

We are at the beginning of a new decade and I know all members of the assembly will join me in urging employers and employees to make workplaces even healthier and safer over the next 10 years.

1400

LANDLORDS' RESTRICTIONS ON PETS

Hon Mr Scott: Later today I will introduce for first reading the Landlord and Tenant Amendment (Animals) Act, 1990. The purpose of this bill is to protect tenants from eviction if they have well-behaved pets that have not caused harm and are not dangerous.

Mr B. Rae: Oh, I see.

Hon Mr Scott: Just cool it.

Until last year it was clearly understood that breach of a no-pet provision in a lease was not a sufficient ground for eviction. Eviction is only permitted if the landlord proves that one of the grounds set out in the Landlord and Tenant Act has been met. Eviction is possible if, for example, a pet has substantially interfered with other tenants.

On 31 May of this year, however, a judge evicted three tenants although there were no complaints about behaviour of their pets. The judge decided, in a wide-ranging decision, that the mere presence of a pet, even a harmless pet, could amount to a substantial interference with others. The judge relied heavily on the fact that all tenants had signed leases prohibiting pets. A similar result in a narrower framework occurred in a case last year.

The amendments in this bill will ensure a careful balancing of the rights of landlords and tenants.

The amendments recognize that in a building where animals have caused problems, it may be difficult for the landlord to identify specifically which pet or pets are responsible. If a landlord is seeking to evict a tenant because of a pet, therefore, the amendments will require the landlord to prove that animals of the same species as the tenant's have caused problems.

Specifically, the landlord will be required to satisfy the judge that (a) the past behaviour of an animal of that species has substantially interfered with others, (b) the presence of an animal of that species has caused the landlord or another tenant to suffer a serious allergic reaction or (c) the presence of an

animal of that species or breed is inherently dangerous to the safety of the landlord or the other tenants.

If the landlord proves that there was substantial interference or a serious allergic reaction, then the tenant will be able to avoid eviction by showing that the tenant's own pet has not contributed to or caused the problem.

In addition the amendments provide that in determining whether the grounds for eviction exist, the court will no longer be able to consider the fact that the tenant or other tenants signed no-pet agreements.

Another feature of the amendments is that applications for injunctions based on no-pet leases will be governed by the same criteria as applications for evictions.

All of these amendments will apply to any court hearing that is completed after the act receives royal assent. If an eviction order is made before the act receives royal assent, the tenant will still obtain the benefits of the amendments if an appeal is taken and the appeal is heard after the act receives royal assent.

I believe these amendments strike a fair balance that will permit action to be taken against irresponsible pet owners but will protect tenants whose pets are well behaved, do not cause harm and are not dangerous.

POLICE TACTICAL UNITS

Hon Mr Offer: I rise today to inform the House that I am tabling the Ontario Police Commission report on police tactical units.

As members of the House will recall, at the time of the coroner's inquest into the death of Bernard Bastien, this government directed the Ontario Police Commission to undertake an inquiry into the operation of police tactical units in Ontario.

Following the coroner's inquest, the jury made recommendations, several of which the OPP immediately implemented. To enhance public security, tactical teams are now clearly identified with standard uniforms, and tactical unit communications and training are being improved.

In response to the government's request, the Ontario Police Commission held public hearings across the province. The commission has received input from all sectors of the community. The commission's report makes a number of recommendations.

I want to assure this House and the citizens of Ontario that all of the Ontario Police Commission recommendations will receive careful consideration by my ministry. I anticipate being able to provide a full response to this very important report in the near future.

RESPONSES

POLICE TACTICAL UNITS

Mr D. S. Cooke: I would like very briefly to respond to the Solicitor General and say that I am happy this report has finally been tabled. He will know that the family and the lawyer representing the family have been encouraging his department to release this report for quite some time, since he has had it for many weeks already.

I continue to feel that the way the government handled this whole issue was not appropriate, that to have a coroner's inquest and to have this review by the Ontario Police Commission was not adequate. The Solicitor General should have responded to this type of tragedy with a full public inquiry involving the community, reviewing the specific circumstances as well as some of the general policy areas.

I will review and read the report, but I also continue to believe that the fundamental question of whether tactical units should exist in the way they do in Ontario has not been answered. Specifically, in the Bastien case, why there was ever the calling in of a tactical unit in a case where a 19-year-old was threatening suicide, and then all of the ramifications and tragedy that came out of that, those questions still have not been dealt with.

The confidence that my community lost in the policing system in Ontario has not been fully restored, because I do not think the Solicitor General has dealt with this in the full, upfront way that he should have from the time Mr Bastien was killed by the Ontario Provincial Police.

LANDLORDS' RESTRICTIONS ON PETS

Mr Kormos: We welcome these amendments to the Landlord and Tenant Act, and well we should because it is New Democrats in this Legislature, like the member for Etobicoke-Rexdale and the member for Beaches-Woodbine, who have been championing the cause of pet owners in apartments for a long time now. It is incredible that this government would finally wake up and understand what is going on with poor tenants across Ontario.

The sad reality is that it is seniors who often as not have been victimized by landlords who want them and their little pets out of apartments. For a senior citizen, a pet, a cat, a small dog, perhaps even a bird can be the *raison d'être*, the reason for carrying on and maintaining a structured lifestyle. It is about time that this government finally showed even this most modest amount of sensitivity to seniors' needs, because Lord knows, when it comes to other areas of needs of seniors, this government is deaf and blind, and quite frankly mute.

Shame on them for waiting so long. Shame on them for not having responded to the member for Beaches-Woodbine and the member for Etobicoke-Rexdale earlier. It is about time. The real challenge is to see whether these guys will make sure that this amendment is passed before they shut this place down in preparation for their big fall election.

OCCUPATIONAL HEALTH AND SAFETY WEEK

Mr Mackenzie: The second paragraph of the minister's statement, "The aim of Occupational Health and Safety Week is to make all Canadians conscious of the vital need for sound health and safety programs in our workplaces," begs the question, why this self-congratulatory approach and when are we going to decide that we are going to bring about equality in terms of workers' participation in health and safety in this province?

We have just finished Bill 208 in this House, where we did not trust our own public sector workers, where we did not deal adequately in terms of repetitive strain and where there are all kinds of other weaknesses in the piece of legislation that was passed. When are we going to decide that workers have a right to have some equality in the decisions that affect them and health and safety in the workplace, rather than calling another week's celebration? It is the adequacy of the bill we needed, not this kind of statement.

1410

Miss Martel: Just to follow up on the comments made by my colleague the member for Hamilton East, I want to point out the irony of the minister's statement today compared with some legislation we dealt with on workers' compensation. He said in

his statement: "Statistics show that more young people are hurt on the job than older workers. So there is no better time for workers to learn the importance of occupational health and safety than early in their work life."

Those members who sat on the committee hearings know full well that is exactly what we in this party argued, that those new workers would be inexperienced, that they more than anyone else should have a right to be reinstated with accident employers, to know that when they got hurt on the job they would be taken back, looked after and would continue on to a productive life with that particular employer. The minister knows full well that his government would not listen to us, that the exemption in the bill says that you have to have one year's full continuous service with an employer before you enjoy these rights.

I think it is just ridiculous today that we hear about the need for health and safety, a focus on young workers in particular, and that is the same group his government excluded from that particular piece of legislation and those rights.

Mr Cousens: We just cannot take health and safety for granted. One week a year is maybe a help, but we have got to be far more committed to the safety of all our workers in the workforce.

All it takes is for any one of the members of this House to receive a constituent who has been injured in the workplace and cannot get a job, cannot get back to work and is hardly able to live on the money he is given now. It makes it all the more imperative for each of us in positions of responsibility to make sure we are doing everything possible to promote safety in the workplace.

First of all, I want to thank the inspector from Sarnia, John Irwin, for being here. He has one of the very important jobs in our society. It is a responsible job and the fact he is out there conscientiously working to make sure that people are being trained and that the workplace is safe is something we admire and respect very much. We thank him immensely.

We have to start with education, start with the young, start with the school system, start in the workplace where people are being more and more educated on it so that there is a commitment, not in the words that come so easily from the mouth of the minister but from the heart, that people today know we as politicians and parliamentarians out of Queen's Park are genuine in our intent to fight for safety in the workplace.

We have come a long way in recent years, but there is still a long distance to go. I believe it does start with young people in the workplace and it does start in the hearts and minds of everyone who is going out there in the workplace, to know that we want it to be safe. We want them to be productive and we want this as a country that will grow with everybody not being taken advantage of but having a chance to make a worthwhile contribution.

I thank the minister for naming this as a week for health and safety in the workplace. I just hope that every one of us can do something within our own ridings and our own constituencies and wherever we might be to promote more health and safety. May those people who are out there doing their thing inform us of anything we can do better to help make it a better place for them to work.

Ontario is a great place to live. Let's make sure we keep it that way.

POLICE TACTICAL UNITS

Mr Sterling: I would first like to comment on the report by the Solicitor General today on the review of tactical units. The minister follows a long tradition of his ministry in providing full responses to reports of committees, as he has in the past. However, there is also a long Liberal tradition, that it is now taking for ever for this government to provide any real response to those reports. I only need remind the minister of the government's recent promises to amend the Police Act. It was over four years after the promises before they were brought to this legislative chamber. In particular, the recommendations call for an increase in the training of officers. I hope the government will provide the appropriate funding for this immediately.

LANDLORDS' RESTRICTIONS ON PETS

Mr Sterling: I would like to respond to the remarks of the Attorney General today on the introduction of the Landlord and Tenant Amendment (Animals) Act. The Attorney General really is a pussycat when he is dealing with this issue.

The Attorney General well knows that our standing order 66 provides that no government public bill introduced during the last eight sessional days in June in the period provided for in paragraph etc shall be called for second reading. In other words, the Attorney General has introduced a bill here which no doubt is brought to the attention of the Ontario public for election purposes, and election purposes only. He has no real intent of bringing this issue to the fore of this Legislature for second reading. He has no right to bring that legislation before this Legislature ends on 28 June.

We can only draw one of two conclusions. Either the Attorney General does not know the rules of the Legislature or he has introduced this legislation as a sop to many very troubled tenants who are caught in a two-way situation here. We want the Attorney General to do something in this regard and we think it is very late in the electoral game to partake in this kind of cynical step.

ORAL QUESTIONS

TRADE WITH SOUTH AFRICA

Mr B. Rae: A question to the Premier today: I know that the Premier, according to a schedule that I have seen, is going to be meeting with Mr Mandela when he is here this afternoon. If Mr Mandela were to ask why Ontario's imports from South Africa in 1989 were 26% higher than they were in 1988, I wonder if the Premier could tell us what his explanation would be.

Hon Mr Peterson: I doubt Mr Mandela would raise that question. He might. My honourable friend just has a different view of the situation, but I am sure that he is aware of Ontario's record in this regard. I am not suggesting it is perfect. I do not have a specific answer for that question, but I can tell the member from a governmental point of view, we have undertaken another number of initiatives and I think he is well aware of that.

Mr B. Rae: Ontario's trade with South Africa, according to the ministry's own figures, shows very clearly that in 1987 imports were worth somewhere in the area of \$60 million and in 1989 imports were worth some \$85.7 million. That is happening at the same time as both the government of Canada and the government of Ontario have been trumpeting to all who would listen how much they were doing with respect to sanctions on apartheid.

If the Premier is not prepared to answer the question in the original context in which I asked it, I would like to ask the Premier, after he has made so many efforts to advertise his opposition to apartheid and his support for sanctions, can he explain how it would be that imports from South Africa would have gone from \$60 million two years ago to over \$85 million in 1989?

Hon Mr Peterson: I do not have a detailed breakdown of that and I do not have the explanation at my fingertips. He may well bring it to my attention. I have told my honourable friend of, and he is familiar with, the number of the initiatives that we have undertaken from the point of view that we have any control from the governmental point of view. As I said, Mr Mandela is probably very much aware of that.

Mr B. Rae: Let's take this issue seriously. If Ontario is part of the international strategy which is designed to bring the government of South Africa to change completely the way in which it deals with its citizens and is designed in fact to create a multiracial, democratic South Africa, if that is the purpose of what he is doing, does the Premier not think it is his obligation to find out how it could possibly be that since 1987 imports from South Africa have gone up over 26%? Does he not think he has an obligation to do that, and does the Premier not have an obligation to sit down with the business leaders of this province and say to them that it is time that everyone, including the business community, got behind this issue of sanctions and stopped talking out of their mouth and at the same time continuing trade on an increased level since 1987? Does he not think he should do that?

Hon Mr Peterson: I think if one looks at the initiatives of this government with respect to a number of things—with respect to procurement, with respect to some of the rule changes with respect to pension funds where we have direct control, of not being involved with syndicates here for Ontario Hydro that are involved in transactions with South Africa—one could make the point that some leadership has been provided by this particular province. As the member knows, I am not a dictator. We do not have the capacity to punish companies that do that kind of thing, but I think a number of them have shown leadership in that particular regard.

1420

HOSPITAL SERVICES

Mr B. Rae: I have a question to the Minister of Health. This morning, the minister apparently pulled a \$5.4-million rabbit out of the hat in response to the immediate crisis at the Hospital for Sick Children.

In 1989, in more than 13 leadoff questions in question period, our party raised issues surrounding the acute nursing shortage in the province and the impact that this nursing shortage has had on the quality of care across Ontario. The minister has given us all kinds of answers going back through 1989, 1988, 1987 and 1986. I want to ask the minister, is she now prepared to admit that there is an acute nursing shortage in the large teaching hospitals in downtown Toronto and that this problem is what lies at the very heart of the extraordinary difficulties that are being encountered not on a week-to-week basis but on a daily basis in these hospitals?

Hon Mrs Caplan: The Leader of the Opposition is aware of the fact that I met with the board chairman and the president of Sick Children's Hospital this morning. What we discussed was a continuation of the paediatric network which I began last

March. These discussions have been ongoing. I told them that I would do everything in my power to make sure that the children of this province have the care that they need. I want the Leader of the Opposition to know that is what we discussed this morning and that is what we are doing.

Mr B. Rae: The minister did not answer the question. Last week, in answer to questions here and outside this House, she said it was a temporary problem, she said she understood it would be solved and she never made any mention of the fact that it was going to require a \$5.4-million salve from her in order to deal with this issue. Every time there is this kind of government by headline. Now we have a situation where St Michael's Hospital says it also has an acute nursing shortage. We know that the nursing shortage in other major teaching hospitals has caused considerable delays in terms of surgery, not just for children but for heart patients, for patients of all kinds in this part of Ontario.

I want to ask the minister, is she now, after all her time as the Minister of Health, prepared to admit that the nursing shortage is not temporary, that it is not short-term, but that it is a deep, structural problem that lies at the heart of the provision of health care in this part of Ontario? Will she admit that finally?

Hon Mrs Caplan: I know that it is the job of the Leader of the Opposition to criticize, but the facts are as follows: This morning was another plank in the program to establish a paediatric services network across this province. Sick Children's Hospital is one important partner in that network, as are the children's hospitals in London and in Ottawa. I announced that in this House in March. In May I announced a component of that and on 1 June I also announced a component. This discussion that I had has been ongoing for months because of my determination to ensure that the kids of this province get the services and the care that they need.

Mr B. Rae: There is a nursing shortage at the Ottawa Civic Hospital in the dialysis unit. According to our phone calls this morning, St Michael's Hospital said it is having what it describes as an acute nursing shortage. I have a very specific question to the minister. I have now asked it twice. I will ask it a third time and we will continue to ask it until we get a straight answer from the minister.

What has to happen before she will finally recognize and admit that the problem at the heart here in this city and in other communities across the province is a nursing shortage that is not temporary, that is not cyclical, that is not going to go away, that is not coming here one week and going away the next week. It is a deep, structural issue. It lies at the question of the quality of care for hundreds of people who are now on waiting lists. When is she going to finally come clean and admit that that has been the problem ever since she became Minister of Health?

Hon Mrs Caplan: I have stood in this House on a number of occasions and shared with the Leader of the Opposition the fact that nursing is changing around the world, that there are many challenges for the profession and that we have a package of initiatives here in Ontario which is addressing that, which is a systemic problem dealing primarily with the role of women. What we discussed this morning was an ongoing attempt to make sure that the hospital can achieve its mandate.

We know that the Hospital for Sick Children is unique in this province. Its situation in downtown Toronto gives it some of those other features which are present in downtown Toronto that are different from other parts of the province. I am prepared

to share with him a copy of the letter, and I will send it to him now, so that he can fully understand that what we did this morning was to ensure a paediatric cardiac services program for the Hospital for Sick Children. They developed it, they said it will solve their problems, and it is part of our paediatric network across this province.

Mr Eves: On exactly the same issue, to the Minister of Health: Last Thursday I stood in—

Hon Mr Elston: Ernie-come-lately.

Mr Eves: Ernie-come-lately my foot. The former minister will know I have asked these questions about the nursing shortage since the day that person became the Minister of Health.

Hon Mr Scott: Oh, sensitive, sensitive. Derailed before he started.

Mr Eves: If the Attorney General would not have four martinis at lunch, he might be able to hear what I am saying.

Hon Mr Scott: Mr Speaker, ask the honourable member to withdraw that.

The Speaker: Will you withdraw?

Mr Eves: I withdraw.

The Speaker: Place your question.

Mr Eves: My question is to the Minister of Health. I asked the question of the Minister of Health last Thursday in this House about the ICU nursing shortage at the Hospital for Sick Children. She said in a scrum afterwards that this is just a "temporary stress" on the system. No action was planned. "This is an unusual situation." "It's very short-term." "I understand they should be coping very well by next week." Those are all direct quotes attributed to the Minister of Health in a scrum after question period in response to my question.

Has the Minister of Health had a change of heart over the weekend or does she finally appreciate what the problem is, and has been, at that hospital for a couple of years now?

Hon Mrs Caplan: As I said in my previous answer to the Leader of the Opposition, these discussions have been ongoing for months. I met this morning with the chairman of the board, and he suggested that perhaps the doctors were not fully aware of or up to date on the status of the discussions with the ministry. Our officials were at the hospital last Tuesday. I can tell him that this announcement and discussion were imminent. We said we would have the network operational in June. It is now June.

Mr Eves: Spokespeople for the hospital say it will take them about three months to get their ICU unit in cardiovascular surgery up and running at full capacity now that the minister has finally responded to their problem with \$5.4 million this morning. We asked this question over the last several years and more recently, specifically about this specific shortage, on 21 March, 12 April, 16 April, 18 April, 23 April and as recently as last Thursday. Is it not true that the minister is just responding to the crisis by headline? When she gets heat from the people up there then she responds. Is that not so?

Hon Mrs Caplan: The member opposite is absolutely wrong. On 25 May we announced \$5.6 million to the Children's Hospital of Eastern Ontario; \$3.6 million to Ottawa Heart Institute for the development of a paediatric network; on 1 June enhancement of services in London. I said we would have this in place by June, and that is exactly what we are doing. How-

ever, I know that in this partisan environment nothing that I say is going to satisfy the member opposite even if it is the truth.

Mr Eves: Speaking of the truth, the minister will know—not according to me but according to Dr Robert Filler at the Hospital for Sick Children—that there are 120 children on the waiting list for major surgery today. He said that their conditions will continue to deteriorate the longer they wait.

I am sure that the minister is aware of a couple of cases that were made known by the media over the weekend: the case of Gregory Hecktus, who is three years old and has had his cardiovascular surgery postponed twice, and the case of Adam Kraft, who is two and a half years old and has had his cardiovascular surgery postponed five times.

In the last 18 months well in excess of 200 children have had their cardiovascular surgery postponed at the Hospital for Sick Children, and according to Dr Robert Freedom, the chief cardiologist at that hospital, there have been two deaths of children on the waiting list. We have been trying to get this through the minister's head for two or three years. Now she is responding because she is responding to the crisis in the media.

1430

The Speaker: The question?

Mr Eves: Will she not admit that she does not even have a plan? She responds to crisis by crisis. We try to tell her but she refuses to listen.

The Speaker: Order.

Mr Eves: She does not know what is going on. She would not even know they had a meeting, only I told her.

The Speaker: Order. Perhaps we will just wait a moment until everyone cools down a bit.

Interjections.

The Speaker: Order. The minister may want to respond.

Hon Mrs Caplan: I know that it is the job of the member opposite to criticize, but the theatrics of question period really do not do justice to this situation.

The member knows my commitment is to make sure that the kids of this province get the care that they need. We have developed a paediatric network, which I am told will respond to that. I want him to know that we are doing everything that we can in working with the hospitals to encourage them to work together. I will do everything in my power to see that the children of Ontario get the care that they need.

NON-PROFIT HOUSING

Mr Brandt: My question is to the Minister of Housing. Last week, as the minister may recall, I raised some questions in the House in connection with co-operative housing in the province of Ontario. The minister is no doubt aware that 250,000 families are paying in excess of 30% of their income for their housing requirements in the province, which is the benchmark for affordability as we understand it in this assembly and also throughout the province.

In view of the information which has come to our attention and which the minister is also aware of about high-income families occupying co-operative units, is the minister prepared to consider some kind of an upper cap on income before tenants are allowed to move into some of those co-operative units? In other words, is he prepared to look at a change in the legislation which will cap the income admissibility for those particular types of units?

Hon Mr Sweeney: My honourable friend will be aware of the fact that, I guess it was about 15 or 16 years ago, the government of the day decided that it did not want to continue to build housing solely for low-income families. Apparently the tenants of those buildings at that time indicated to the government of the day that there would be a preference to have more mixed-income social housing. As a result of that, the federal and provincial governments entered a series of agreements whereby non-profit and co-op housing would be mixed income, and that is what we have today.

My friend will also be aware of the fact that up until about 1985 co-op housing was funded just by the federal government. Since then, of course, it has been funded either jointly by the two levels of government or just by the provincial government. In each case we have left it up to the non-profit corporation or the co-op corporation to determine who the people at the upper end would be. We made it reasonably clear that we thought they should use discretion. We have not dictated that figure to them.

On the basis of the question that the honourable member raised last week, however, I have asked the co-ops if they would do an informal review of the tenants they have and report back to me; let's find out just how widespread the problem is.

Mr Brandt: I want the minister to be assured that our party does in fact support the concept, the philosophy of co-operative housing programs and also mixed incomes within those particular units. In fact, it was our party that started the program originally.

Having said that, I have great concern over the fact that 43,000 families are on a waiting list in this province to get into that type of shelter which is affordable, while others with extremely high incomes are occupying those units.

In order to keep in place the mixed income concept, will the minister still agree that some form of upper cap on income is reasonable, realistic, fair and equitable, in order to help some lower-income people get into those units and get the rich into the open market?

Hon Mr Sweeney: Again I would point out to my friend that, on average, the first 70% of tenants in non-profit and co-op housing are rent-geared-to-income and the last 30% are what we call market-rent. Therefore, we would have to determine who was displacing whom. There are two different segments.

The second point I would make to him is that it is normally my practice, and I think my honourable friend would agree with me, that you determine first how widespread the problem is before you introduce a solution that may impact on an awful lot more people than you intended it to. So we are doing the survey. We are trying to determine how widespread it is. On the basis of that, I am meeting with the non-profit association—I think it is Thursday of this week—and that is going to be one of the items of the discussion.

I really believe it is important that we know how serious the problem is. If it is minuscule, I think we can deal with the individual co-ops where the problem exists. If it is more widespread, then we should have a solution that is more widespread.

Mr Brandt: By way of comment, I hope that the minister will have an opportunity to look at the books to assure himself and be absolutely convinced in his own mind that the situation is fair.

Another item I would like the minister, if I might by way of question, to put on the agenda for his discussions is the whole

issue of ownership upon the retirement of the mortgage on those particular properties.

Will the minister give an undertaking to this House that he is prepared to make a change to the legislation so that those units which are co-operative units, paid for in part by the taxpayers of those province, will remain in the hands in perpetuity of the province? Is he prepared to look at that kind of legislative change?

Hon Mr Sweeney: I am prepared to say very clearly to my honourable friend, as I think I did last week either to him or to one of his colleagues, that the non-profit co-op housing which is subsidized by either the federal and provincial governments co-operatively or just the provincial government would remain in perpetuity as social housing and supported for the intents that it was intended. I am clearly prepared to make that commitment.

I would also point out to the member, as I think I told him before, that we are currently having discussions with the Ministry of Consumer and Commercial Affairs to determine whether the Corporations Act is the proper vehicle in order to do that. If it is, that is the one we will use; if it is not, I will assure him we will find something that does it.

EMPLOYMENT IN NORTHERN ONTARIO

Mr Morin-Strom: I have a question for the Premier with respect to economic development in northern Ontario, particularly with respect to the fact that we still are in a province which is really two Ontarios, the one in the north very different from the one in the south, with an unemployment rate approximately double in northern Ontario compared with southern Ontario.

Last week, Statistics Canada reported its estimate that there are 3,100 fewer people working in Sault Ste Marie in the district of Algoma than in the same month in 1989 and that the Sault's unemployment rate, for example, has increased from 8.3% to 11.1%. This is reflective of the need for jobs in a more balanced economy in Sault Ste Marie and many communities right across northern Ontario.

I wonder if the Premier could tell us what specific initiatives he has undertaken in order to balance the economy of this province and what he will do about the high unemployment rate in northern Ontario.

1440

Hon Mr Peterson: I am very mindful of the fact that the northern Ontario economy tends to be more cyclical than other parts of the economy. My honourable friend is aware of some of the cycles in the resource industries, particularly in pulp and paper and mining, as well as in the steel industry. He is also aware, I am sure, of the influence of high interest rates, a policy with which this government, as he knows, disagrees very strongly. It is putting pressure on the economy right across this province.

That is compounded by special problems in northern Ontario, but I think it is fair to say that this government has been very mindful of those things for the last period of time and indeed has undertaken a number of initiatives to try to stabilize things in northern Ontario, the Sault specifically. My honourable friend is aware of the jobs that are being moved there, of both the Ministry of Natural Resources and the Ontario Lottery Corp. That is happening in Thunder Bay and in a variety of other communities in northern Ontario, and many

people think it is one of the most significant initiatives ever undertaken by a government.

As my honourable friend is also aware, with the northern development fund and the northern Ontario heritage fund there is a new emphasis on community development and assistance to communities to deal with their problems. I think if my honourable friend is fairminded in looking at the programs of the government, he would think there has been a great myriad of initiatives to try to assist with this cyclical economy.

Mr Morin-Strom: The Premier, as has been the case over and over, refers again to the transfer of some 1,600 jobs that was announced during the minority government period of the last government four years ago. During this majority government of three years we have not had any similar announcements of initiatives coming to northern Ontario.

On the day of the budget, the Treasurer stated that as many as 6,000 more Ontario jobs may be transferred from Toronto over the next several years and that the government was intending to accelerate this program as a means of stabilizing many resource-industry towns through periods of economic downturn. I wonder whether the Premier could tell us specifically when those jobs are going to be announced for northern Ontario, how many of them are going to be located in the north and when those jobs will actually be transferred.

Hon Mr Peterson: My friend refers to the very significant initiative undertaken by this government. I know how very proud he is of that initiative by the government. I remember in his last brochure in the last election he stood out there in the lot and tried to take credit for the entire matter. Obviously he wants to associate himself with the initiatives of this government.

Mr Laughren: It was his idea.

Hon Mr Peterson: In fairness, it was not his idea, but then again I understand it is called the coattail effect. I do understand people trying to take credit for these matters. There are so many good things going on in this government that we do not mind sharing credit with whoever wants to try to get credit, because that is the way it is.

The Treasurer did make the point in his budget that we are looking at further decentralization of jobs in a number of areas. As the member knows, other members in his caucus and other caucuses stand up and try to take credit for all those matters. He also knows how difficult it is with the public service.

So when we make announcements in the future and they have to be carefully worked out, I want the member to stand up and support us. I do not want him to stand up in this House and scream, hoot and holler about job transfers from Toronto. I know the member will be enormously supportive in that regard as this government continues to bring economic opportunities and fairness across this province.

HOSPITAL FINANCING

Mr J. M. Johnson: My question is to the Minister of Health. The minister will recall my questions of 28 March and 2 April regarding the hospital redevelopment plans in Guelph, in which I expressed serious concern over the ministry's change of direction in the 1987 plans to redevelop these two facilities in Guelph, the Guelph General Hospital and St Joseph's Hospital.

At that time the minister reassured the House that the newly formulated redevelopment plans would be expedited. From all reports, nothing positive has happened in the last three months and the process has completely broken down. What does the minister intend to do now to get this project back on track?

Hon Mrs Caplan: The answers that I gave to the member stand. Our commitment to ensure that the health and health care needs of the people of Guelph and community are met is undisputed. The financial commitment that we have made is firm. We are committed to the development of one acute care facility and one long-term facility to meet the needs of that community not only for today but into the future as well.

Mr J. M. Johnson: That is rubbish and the minister knows it. Just this morning—

Interjections.

The Speaker: Order. Maybe the member for Wellington would like to start again.

Mr J. M. Johnson: May I repeat "rubbish"?

Just this morning I received an urgent telephone call from James Gibbons, the Wellington county representative on the Guelph hospital board, in which he stated that the members of Guelph city council, the Guelph Chamber of Commerce, the Wellington Medical Society and the Wellington-Dufferin District Health Council are very unhappy about what is happening. The project is further behind than it was in 1987.

It is imperative that the minister meet immediately with representatives of both hospitals, the county and the city, to resolve this impasse. Will the minister commit herself to such a meeting prior to the House recessing?

Hon Mrs Caplan: I want to say to the member opposite that discussions are ongoing, that we are in communication with all of the interested parties and that we hope to have an announcement in the very near future about a process that will accomplish the stated goals which I very clearly stated in response to his first question.

TECHNOLOGICAL TRAINING

Mr J. B. Nixon: My question is for the Minister of Education. He will know that the Premier's Council's first report entitled *Competing in the New Global Economy* made the point that while education and training are often seen as social programs, they are really investments in our economic future.

The report makes reference to the development of Japan, Sweden and Germany over the last 20 years and links that economic prosperity and development directly to their human resource development and their intensive investment in skills training.

The report makes the point that Ontario's competitive position has been seriously challenged and that in order to restore that competitive position we have to invest in our people. We have to invest in their excellence and we have to invest in their ability to take jobs in the scientific and technological world.

Last Saturday the Toronto Star highlighted the point that those students who are not aiming to be doctors, lawyers, accountants and other various professionals may be left behind because they are not getting the necessary training in scientific skills to fill the high-tech jobs of the future.

What work is being done by the Ministry of Education and the local school boards to improve the quality of technical and scientific education in our schools?

Hon Mr Conway: My friend raises a very good point and one obviously that excites the interest of members like our friend from Rexdale as well. I want to tell the member that as a result of advice that was offered by the council and others in the educational and general community, this government not only has undertaken but is well along in implementing a number of

major changes to provide a better future for students interested in science and technology, specifically at the elementary and secondary level.

We have embarked upon very significant reform of the curriculum at the secondary level. My friend the member for York Mills will know that we have announced major reform of the curriculum in the area of technological studies. We are going to be supporting that curriculum reform with substantial new financial resources to ensure that there is equipment in the schools to underpin that.

We have also embarked upon some new initiatives in the area of counselling because, quite clearly, it is one thing to have the programs, but it is another thing to have some of the old attitudes that have been real barriers. I would say to my friend the member for York Mills and to others in this Legislature that we can undertake curriculum reform at all levels and we can provide new equipment, but we also have to change attitudes and encourage young people, male and female, to the exciting possibilities that are out there in science and technology.

Mr J. B. Nixon: I thank the Minister of Education. I could not agree with him more about changing attitudes. From my brief experience on the parliamentary assistants' committee on small business, talking to small business about skills training or talking to students in schools in my riding like Victoria Park Secondary School, where the member for Nickel Belt used to teach, I get blank stares when I start to talk about a profession or taking a job in the skilled trades in the technological industries and the scientific industries.

I am sometimes taken aback when people suggest that it is entirely the responsibility of the Ministry of Education. I would suggest to the members that our industry and our commerce and our businesses, which so frequently are the direct beneficiaries of our trained and educated students, should be taking a leadership role in working with local boards, local schools and indeed the ministry not only to change attitudes but to assist in perhaps the funding, if you will, of some of the necessary equipment for programs in the scientific and technological area in our schools. Does the minister think that is a good idea?

1450

Hon Mr Conway: I want to say to my friend that government, in a variety of ways and levels, is supporting more partnerships between various constituencies. I can tell him, a member from the North York area, that very recently I attended a session sponsored jointly by the North York Board of Education and the university women's group in North York to focus attention in that part of Metropolitan Toronto on what could be done to stimulate a greater interest in and graduation from programs in this area.

We ourselves at the ministry have undertaken the so-called school-workplace apprenticeship program to bring apprenticeship training into the high schools so that young people, male and female, can begin the track into apprenticeship at the high school level. We have seen a number of those initiatives. We are going to be sponsoring and supporting countless others.

AUTOMOBILE INSURANCE

Mr Kormos: I have a question of the Minister of Financial Institutions. On 9 June, I picked up the Toronto Star and I saw this big, expensive ad touting his Bill 68. I read the Globe and Mail of the same day; same ad. I read the Toronto Sun; same ad. Four days later, there was another round of big, expensive display ads, not just in the three Toronto papers but in papers,

dozens of them, across Ontario. The question simply is, how many hundreds of thousands—no, how many millions—of dollars of taxpayers' money—because it is not just print advertising; there is this glitzy, expensive radio campaign going on too—is the minister wasting on this garbage?

Hon Mr Elston: The short answer is that no money is being wasted on this because we have found that the people are willing to read material which is providing correct, direct and intelligent information on this bill. They have not been able to find it by viewing the Hansard reports of the honourable member's speeches, so we are providing just over \$1 million to advertise in the dailies, weeklies and the periodical papers to deal with providing information to the public on Bill 68.

Mr Pouliot: You are the Chairman of the Management Board of Cabinet; how much are you paying?

The Speaker: Order. Were you going to allow the member for Lake Nipigon to ask a supplementary? No. If we could have a little order, then I will ask the member for Welland-Thorold to ask a supplementary.

Hon Mr Scott: Now, come on, a little punch in the question.

Mr Kormos: I sure do. At the same time that this is being printed, the insurance industry itself is probably spending the same amount of premium dollars printing similar ads. The dishonesty, the half-truths, the outright lies contained in this crap that is being printed at the expense of the taxpayer—I tell you, Mr Speaker, it is there for people to read, and they are paying for it through the nose because this minister has no respect for the drivers or the taxpayers. He does not mention the 95% of all innocent injured persons who are not going to get a penny of compensation for their pain and suffering.

The Speaker: Order. Do you agree with what the member said?

Mr Kormos: Just a moment, Mr Speaker.

The Speaker: I thought you were asking if he had agreed with that.

Mr Kormos: I was just leading up to it.

The Speaker: Order. You have already spent about 80 seconds. Will you place a one-sentence question, please?

Mr Kormos: Mr Speaker, as I say, this can all go much more quickly if I am permitted to ask my question. Why does the minister not mention the 95% of innocent injured victims who are not going to receive a penny in compensation and the \$1-billion payday for the auto insurance industry that is gouged from taxpayers and drivers and victims because of his scheme, because he knuckled under to the insurance industry in this province?

Hon Mr Elston: I wish to quote the member for Wellington in his response to a previous interjection. I think the member for Welland-Thorold can read the Hansard wherein the member for Wellington indicated "Rubbish," because he knows better than any of the people that—

Mr Kormos: More dishonesty.

The Speaker: Order. Will the member withdraw that?

Mr Kormos: Withdrawn, Mr Speaker.

Hon Mr Elston: The member knows full well that the people in the province have received, under the benefits of this plan, new enhanced no-fault benefits so that in fact we can get

money more quickly to those individuals who are injured. Those people who are more seriously injured can still go to the courts. He knows that and he refuses to give a full profile of the benefits under the—

Interjections.

The Speaker: Order.

Mr Kormos: I am sorry, Mr Speaker.

Mr Kerrio: No, you are not.

Hon Mr Scott: You always say you are sorry.

The Speaker: Order. I wish members would show a little more respect for the institution. It is not funny.

AFFORDABLE HOUSING

Mr Cousens: I have a question for the Minister of Housing with regard to the announcement that was made last week by him in Markham about the 6,000 new affordable homes that are going in to the east side of Markham. I would like to thank the minister and his staff for keeping me, our council, the region and the community as a whole informed on the developments and progress on this prior to the announcement. I see this as a very significant and important initiative and sincerely hope that it will go a long way to providing affordable housing in our community.

The question I have for the minister is, when will the first non-profit unit for rent be available and when will the first affordable purchase home be available?

Hon Mr Sweeney: Speaking to the planning and engineering staff in the Markham area, their sense was that the work would begin immediately, that the infrastructure necessary to support the homes and the commercial activity would begin in 1991 and that people would actually be moving into homes in 1992. They could not be more precise than that.

Mr Cousens: The minister has a good way of leading into my supplementary, because I am concerned about getting the homes for people but also about the infrastructure. The government promised 104,000 units by the end of 1989, and 25% of those have been fulfilled. What we are concerned about in the community are the roads. Are they going to go in first? Will Highway 407 be extended east of Highway 48 to relieve Highway 7? Will the region and town receive the necessary funding to improve the network of roads around it?

Will the government build the schools in time so that the people who are coming into that new community will have schools for their children instead of busing them long distances and causing overcrowding in other schools in the community? Will the government give us the money for the necessary social services for people who come into Markham and then they find that they do not have the same kind of services as you would have in other communities or in Metro? Will the minister set aside the necessary Wintario funds so that we can build new community centres? What assurance can the minister give that the infrastructure and services will be provided for this great new community in Markham?

Hon Mr Sweeney: There are certain types of infrastructure that will have to be in before any home construction will be done at all. That has already been agreed to. There are others that may be a little bit later on. For example, I do not have a firm timetable for Highway 407, which sweeps around the bottom end of this new community project. Therefore, the decision has been made that the phasing for this development will be at

the northern end. I think the first number of homes will be in the neighbourhood of about 2,400, roughly about a third of the entire project, and it will gradually move south as the necessary infrastructure will be available.

All of the various elements that the honourable member raised are parts that have to be done, because both Mayor Roman and myself made it very clear that we were not talking of building just homes but schools, churches, parks, an entire community structure, and as the honourable member knows, a new hospital just opened up on that same site about three months ago.

1500

PLANT CLOSURE

Mr Neumann: My question is for the Minister of Labour. The minister knows quite well that last week Fruehauf in Brantford announced the permanent closing of the plant there, with the loss of over 300 jobs. What is the ministry doing to assist the workers affected by this closure?

Hon Mr Phillips: I know the member for Brantford is extremely worried about this, as well as several other closures the member has seen in his riding. I go back to the thing I said often before, and that is the need to create jobs. Having said that, our staff is there today, as I understand it, working with the two parties to set up a committee to begin helping those workers who are affected, helping them in terms of looking for new opportunities, helping them in terms of examining the severance packages that are available, helping to ensure that there is proper counselling for the workers who are affected.

Again, the most important thing we can do is to create jobs. In the absence of that, we have our employment adjustment committee there today working with the employees and the employer to set up a program to do the best we can for those affected workers.

Mr Neumann: As the minister knows, our community went through quite a few shocks of dislocation during the 1980s with closures of Massey and White. Since the Fruehauf announcement, we have had a further announcement of the closing of a division of Sunbeam Solaray. While the economy of the city has rebounded with many new industries moving in, that does not help the workers who are affected, particularly the older workers.

What programs does the minister have available and, perhaps by pressuring the federal government because some of this is related to free trade, can he make available to assist the older workers in these plants?

Hon Mr Phillips: We have a program called the program for older worker adjustment that I think most members are familiar with. I might say it is our anticipation that we will be making another designation in the near future of additional workers covered by POWA. This is a program that affects workers who are 55 years of age and older and is designed for those who, tragically, do not look like they can get additional employment prior to retirement. That program is available.

We have a second one, called Transitions, which is a training program for workers 45 years of age and older. As the member has pointed out, it is important that we remember the federal government has the prime responsibility in labour adjustment. We intend to continue to pressure it to improve POWA, to look at ways we can provide better training for workers who are affected by layoffs.

The Premier's Council, as I think most members know, is, I hope, nearing completion of a second major report that, I also hope, will deal with this and will also deal with how we may better work with the federal government to co-ordinate our programs to deal with workers who are affected by that.

There is POWA, the Transitions program, the Premier's Council report and also our continued pressure on the federal government, particularly to do things like improve POWA.

PALLIATIVE CARE

Mr Reville: A young woman named Lynn Corby died on 6 May after a long and courageous struggle against cancer. During that struggle, she was supported by her family in a way that should make us feel proud of what families can do. What the family says to me now is that the last few weeks of her life were a nightmare because of the difficulty, for 15 hours at the Toronto General Hospital, in finding a resident who could adjust the pain control palliative care that Lynn Corby was receiving at the time.

I wonder if the minister has had a chance to do any investigation of the situation.

Hon Mrs Caplan: If the member opposite will send me the information that he has, I will look into the matter.

Mr Reville: I am aware that the minister gets lots of mail. She certainly has this mail as well because she and I were both copied on the correspondence. It will have been in the minister's mail room for some time.

I wonder what directions the minister gives the palliative care units of our hospitals in terms of the need to have residents available. In a letter that is filled with compliments for the kindness and compassion of nurses, there is, as well, the comment that the nursing authorities said that this was an untrained crew of nurses who did not realize they could increase the pain-killing medication at a time like this and waited for 15 hours for a resident to tell them that it was possible. I am sure the minister does not think that is an appropriate situation, and I would ask her to investigate and get back to me and to Lynn Corby's family about how this could have been much better managed.

Hon Mrs Caplan: As I said to the member opposite, I will look into the situation.

QUEENSWAY-CARLETON HOSPITAL

Mr Sterling: I would like to ask the Minister of Health a question regarding the Queensway-Carleton Hospital in the city of Nepean. Prior to the last provincial election, there was a promise made by the former Minister of Health that it would be given approval to add, I believe, some 100 additional beds to its hospital. It was asked to go out to the community and collect money and contributions from the community.

It is a long time now since the hospital has fulfilled that part of the mandate. The Ministry of Health has dragged its feet on approvals of various stages of the planning process. It appears now that the minister is going to renege on the promise that the former Minister of Health made in terms of approving this addition to the Queensway-Carleton. When can the Queensway-Carleton expect to get its final approval and go ahead with building what was promised prior to the last provincial election?

Hon Mrs Caplan: I am pleased to answer the question. As the member opposite knows, I was recently in Ottawa, where the district health council had conducted a review and estab-

lished its priorities, and we were able to announce very significant movement in the area of capital which was conforming with our capital planning framework. He knows that those announcements were extremely significant.

They involved primarily the east-end area through the East End Ambulatory Centre, as well as announcements for Hôpital Montford. There have been additional announcements for the Riverside Hospital of Ottawa, as well as significant announcements in the area of cancer care for Ottawa General Hospital.

All of the announcements in the Ottawa area are in conformity with the capital planning framework, and I can assure him that all of the planning continues and that we are working very closely with the district health council to ensure that all projects, no matter which hospital they are involved with, conform with the capital planning framework, are properly prioritized and will meet the needs of the people of the Ottawa-Carleton region.

I would also say that my colleague the member for Nepean has been very active in ensuring that I understand the needs of the Queensway-Carleton Hospital, and I want the member opposite to know that we are working very closely with all of the hospitals of this province to make sure that we meet the needs in the future.

Mr Sterling: The people of the city of Nepean understood from the former Minister of Health, who is sitting two seats from the minister, that they were promised an addition to their hospital. They, in good faith, went out to the community and asked it for donations. Does the minister think it would be fair for our candidate in the next provincial election to say that she welshed on the promise?

Hon Mrs Caplan: I do not, but I fully expect that this is what that party will say. That is the party whose policies over the course of time resulted in the highest rate of institutionalization in this province. Very clearly, I have stated on a number of occasions that the total capital dollar commitment is available to the regions, that in light of long-term-care reform and a capital planning framework we are working with the hospitals of this province to ensure that our capital dollars are used to meet the needs of the future as well as today.

1510

MULTICULTURALISM

Mr Neumann: My question is for the Minister of Citizenship. The province of Ontario announced some time ago a policy on multiculturalism. At the federal level, however, we have a piece of legislation which puts multiculturalism into the law rather than simply a policy statement. Is the ministry considering such a proposal at the provincial level?

Hon Mr Wong: I am pleased with the honourable member's interest in this question. The Brantford-area community is very diverse in terms of its different cultures, races and languages. I am pleased to indicate to the honourable member that the government has been examining this possibility in view of the increasing diversity of our society. When we ask ourselves what the objectives might be, be they social, cultural or economic, we have to ask ourselves also: Are there other pieces of legislation within Ontario that already cover a number of these areas?

To make sure we can arrive at the proper solution and the appropriate initiative, the government, my ministry in particular, has been working on what I would call a working paper

that at some point in time we would like to bring forth and invite public participation in order to discuss the need for such legislation.

Mr Neumann: I am aware that the policy on multiculturalism is a working policy in the sense that all ministries within the government are encouraged to implement sensitivity to the various diverse groups in our community. Is the minister satisfied that the other ministries have made significant progress in implementing multicultural policies within each of their areas of jurisdiction?

Hon Mr Wong: In the past year the Ministry of Citizenship, in working along with all the other ministries of the government, has caused the initiation of about 85 different initiatives covering about 25 different ministries. In that sense, there has been significant progress. However, the job is not done. There is still much more that has to be done in terms of changing all of our institutions so they are more culturally and linguistically sensitive.

UNCLAIMED PROPERTY

Mr Laughren: In view of the lack of alternatives, I have a question for the Attorney General. On 19 December this Legislature passed a bill called An Act respecting the Custody of Unclaimed Intangible Property. Since that time the bill has not been proclaimed. Could the Attorney General tell us why?

Hon Mr Scott: I am not sure I can, but I will inquire into it. Has the honourable member got unclaimed property that he is worried about over the next couple of weeks?

Mr Laughren: Is it not true that since the bill would transfer from the private sector to the public trustee any unclaimed property, that since the bill received third reading and royal assent but has never been proclaimed, there has been a tremendous lobby set up by the insurance companies and others in the private sector not to make the bill retroactive but only to apply to property in the future and not to property that is already unclaimed? Is that true or is it not true? If it not true, why has it not been proclaimed?

Hon Mr Scott: I am aware that there have been those who have been lobbying that the bill should be applied immediately and there have been those who have asked for modifications in it. I think the modification about the retroactivity is whether the bill should be retroactive beyond the limitation period, which I think would be 20 years in cases of this type. The honourable member may have been subjected to a heavy lobby that we have not experienced in this matter, but I want the honourable member to know that would not be the reason for failing to proclaim the bill. I will be glad to bring his representations to the attention of the Treasurer as soon as I can.

ASSISTANCE TO FARMERS

Mr McCague: My question is to the Minister of Agriculture and Food. When is the minister going to approve drought assistance for the Georgian Bay apple growers?

Hon Mr Ramsay: Actually I met with representatives of the Georgian Bay apple growers and apple growers from right across the province up in that area about six weeks ago, and we discussed how we could possibly access some of the horticultural money that the federal government had offered. I have asked them to assist me in pushing the federal government to come to the table so we can deal with that horticultural money. I

have also asked them to take a look at how we could possibly design a program that could assist them.

Mr McCague: The situation is urgent, and the minister is playing a little tag with the federal government as to whether or not this is going to be approved. As I understand it, the federal government has said how much money the minister has and it is up to him to say where it is going to go. Is it going to go to the apple growers?

Hon Mr Ramsay: I would like to correct the misimpression that the honourable member has, because in fact the federal government has not given us any allocation. I would like to explain this carefully for the member. As the member realizes, there was \$500 million the federal government put on the table—\$450 million of which was for grains and oil seeds across the country; \$40 million of the balance was for other crops.

The federal government and Ontario and a few other provinces have made a deal for the fur industry, but as far as the horticultural industry is concerned, it does not want to deal until the province of British Columbia has completed a report of its fruit industry in the Okanagan Valley. We are awaiting that report.

I am saying to the member, and I would ask for his assistance, to ask the federal government to deal with us now. We are ready to deal, and I would be ready to assist the apple industry of this province. I would not want to disappoint the honourable member. We are ready to go, we would like to deal. I am very sympathetic to the situation; the dry conditions have reduced the crop, and I would like to assist that industry.

INTRODUCTION OF BILL

LANDLORD AND TENANT AMENDMENT (ANIMALS) ACT, 1990

Hon Mr Scott moved first reading of Bill 225, An Act to amend the Landlord and Tenant Act with respect to Animals.

Motion agreed to.

ORDERS OF THE DAY

House in committee of the whole.

OCCUPATIONAL HEALTH AND SAFETY STATUTE LAW AMENDMENT ACT (continued)

Consideration of Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act.

The Chair: If I am not mistaken, we had finished all the different sections.

Hon Mr Phillips: Mr Chairman, might I have permission to move down to the front?

The Chair: The bill is finished, Minister.

Hon Mr Phillips: It is not necessary? Fine.

The Chair: Since we are ready for the vote, there will be a 10-minute bell.

1528

The committee divided on Mr Mackenzie's amendment to add section 1a, which was negatived on the following vote:

Ayes 15; nays 60.

Section 3:

The committee divided on Mr Mackenzie's amendment to subsection 3(3), which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsection 3(5), which was negated on the same vote.

Section 3 agreed to.

Section 4:

The committee divided on Mr Phillips's amendment to subsection 4(2), which was agreed to on the same vote reversed.

The committee divided on Miss Martel's amendment to subsection 4(3), which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsection 4(6), which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsection 4(8), which was negated on the same vote.

Section 4, as amended, agreed to.

Section 7:

The committee divided on Miss Martel's amendment to subsections 10c(3) and (4) of the act, which was negated on the same vote.

The committee divided on Miss Martel's amendment to subsection 10c(5) of the act, which was negated on the same vote.

Section 7 agreed to.

Section 20:

The committee divided on Mr Mackenzie's amendment to subsection 20(3), which was negated on the same vote.

Section 20 agreed to.

Section 24:

The committee divided on Mr Mackenzie's amendment to subsection 24(1), which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to add subsection 24(3a), which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsections 24(1) (2) and (3), which was negated on the same vote.

The committee divided on Mr Phillips's amendment to section 24, which was agreed to on the same vote reversed.

Section 24, as amended, agreed to.

Section 25:

The committee divided on Mr Mackenzie's amendment to subsection 23a(1) of the act, which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsection 23a(2) of the act, which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsection 23a(6) of the act, which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to subsection 23a(7) of the act, which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to add section 23aa of the act, which was negated on the same vote.

The committee divided on Mr Mackenzie's amendment to section 23c of the act, which was negated on the same vote.

The committee divided on Mr Phillips's amendment to sections 23a, 23b and 23c of the act, which was agreed to on the same vote reversed.

Section 25, as amended, agreed to.

The committee divided on Mr Mackenzie's amendment to add section 31a, which was negated on the same vote.

Section 34

The committee divided on Mr Mackenzie's amendment to clause 37(1)(a) of the act, which was negated on the same vote.

Section 34 agreed to.

Section 37

The committee divided on Mr Mackenzie's amendment to clause 41(2) of the act, which was negated on the same vote.

Section 37, as amended previously, agreed to.

Section 40 agreed to.

The committee divided on whether the bill, as amended, should be reported which was agreed to on the same vote reversed.

On motion by Mr Phillips, the committee of the whole House reported one bill with certain amendments.

1540

THIRD READINGS

The following bills were given third reading on motion:

Bill 104, An Act to amend the Mining Tax Act;

Bill 106, An Act to amend certain Acts with respect to Easements and other matters;

Bill 108, An Act respecting Business Names.

LIQUOR LICENCE ACT, 1990 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 175, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor.

The Deputy Speaker: If I remember well, the member for Beaches-Woodbine had the floor.

Ms Bryden: Last Tuesday I led off the New Democrats' critique of Bill 175, which as we know is to amend the liquor laws of this province. I pointed out that the bill completely fails to meet the philosophy of liquor regulation enunciated in the opening pages of the report of the Offer advisory committee, which had been commissioned by the Liberal government in June 1986 to study the liquor laws and suggest how they could be updated. The report came out in 1987 and stated:

"Beverage alcohol regulation involves dualistic and at times contradictory goals: the provision of access to beverage alcohol for the enjoyment of responsible drinkers and the prevention of problems associated with irresponsible use. The attainment of these goals necessarily involves a balancing of interests. Public order and public health issues must be weighed against the public desire for reasonable access to alcohol and the economic interests of the hospitality industry and the beverage alcohol producers."

The minister in his opening remarks on second reading said that Bill 175 is "the transformation of the Offer task force work into legislative language." This bill goes far beyond that. It gives the government the power to wipe out the system of holding public hearings on most liquor licence applications. It does not require any specific type of notice to the public on applications. It simply says that notice shall be done "in the prescribed manner" as set forth in the regulations.

There are no draft regulations before us yet so we do not know what the prescribed manner is and we do not know how much notice will be given when an application is received. When the board decides that it will not have a public hearing but will have a public review, we do not know what "a public review" means. In fact it does not use the word "public." It says that the board may grant the licence or order a hearing or call for a review of the application.

There are no regulations telling us what happens in these cases: how much notice the public will receive before these things happen, how much they will be allowed to participate or how much information will be given to them.

There are 34 classes of regulations that are authorized under this bill. They cover everything, from exempting any person, product or premises from any provision of this act or the regulations. Could anything be more sweeping? This is not legislation. This is the creation of an all-powerful bureaucracy to regulate the sale and consumption of liquor in this province.

The Offer advisory committee had no public members on it. They were all officials of the Liquor Licence Board of Ontario and the Liquor Control Board of Ontario, plus the Solicitor General as the chairman.

This bill needs much fuller study by a select or standing committee of the Legislature so that the public can be ensured of a full role in liquor regulation and licensing in this province. It provides no guarantees of any such role.

Only with full public participation will the residents' interests be considered, will the residents' concerns be part of the consideration of an application. Only by seeking advice from those dealing with the social and health effects of liquor consumption will the government know what measures are needed to balance public health, public order and the economic interests of the hospitality industry and the beverage alcohol producers.

In my area, most of the liquor outlets are on commercial strips with residential premises cheek by jowl to them; very close. Therefore, there is great concern that the residents' interests must be considered in the granting of any application: the hours that the premises can be open, the kind of licence it has, whether it has a patio licence, which can also create much greater noise and much greater disturbance of the neighbourhood.

This law will not give the residents the opportunity to make their case as to why it is not in the public interest to grant a specific licence. If a public hearing is held, they may try to establish that since that phrase is still in the act, the board must decide whether it is in the public interest and meets the needs of

the residents of the municipality. But as I pointed out last week, there is no definition of what is in the public interest. The liquor board takes no responsibility for considering things like parking, extra traffic congestion, litter, noise and the effects on the lifestyle of the community. Also, liquor outlets will require more policing and that has an effect on the lifestyle of the community.

1550

So why is the government ramming through Bill 175 without this kind of full study on what kind of liquor regulation we really need, a study which will involve the public and all parties in the Legislature? I can see one reason only. The government needs money for a coming election campaign. Contributions from the liquor industry and producers have been an important source of campaign funds for past elections in this province, under both Progressive Conservative and Liberal governments. The Liberal government, however, has gone much further than its predecessor in virtually handing over the regulation of liquor sales and consumption and of liquor advertising to the industries concerned, through the powers that it has in this act. It is really a sellout similar to the sellout to the insurance companies in Bill 86. It is sellout, I think, in pursuit of support for election contributions.

There are one or two other matters I wanted to mention. One is the elimination of appeals to the Commercial Registration Appeal Tribunal against Liquor Licence Board of Ontario decisions, which were in the previous legislation. Instead of a specialized tribunal with some knowledge of retail and manufacturing businesses among its personnel, the bill transfers appeals to the Divisional Court. This means more formal rules, long delays in getting a hearing and much greater expense to residents, who usually have to hire lawyers to deal with a case before the Divisional Court. There is no intervenor funding for such hearings as there is in many other hearings under the different regulatory agencies in this province, such as the Ontario Energy Board. Besides, the Divisional Court can only deal with matters of law or procedure. They cannot deal with the question of whether the application is in the public interest. That is what the Commercial Registration Appeal Tribunal may consider, and then may decide whether the LLBO has gone beyond its mandate or has not fulfilled its mandate.

I would like to tell the House that my experience with an appeal to the Divisional Court, on the Racing Commission Act, was not a happy one. When Sunday racing was allowed, a group of residents decided to appeal the decision of the Ontario Racing Commission that it could grant Sunday racing and that it did not have to consider the concerns of the residents affected. Yet the Greenwood Race Track in Toronto is unique in that it is cheek by jowl to a very large residential district.

The group of residents that went to the Divisional Court to question the commission's refusal to listen to the concerns of the residents had to put up about \$5,000 or \$6,000 to hire a lawyer and get into court. They lost the case, and the racing commission asked for costs. The costs they asked for were about \$4,000. That was a very great burden on those residents. I will say that they did make an out-of-court settlement and reduced the cost request to about \$2,000, but it still was a very costly process for the residents and certainly not one that I would recommend for very many groups of residents to try if they are dissatisfied with the decisions of the liquor licence board.

I think that we must consider whether this bill really should be proceeded with. In my opinion, it should be withdrawn and

it should also be sent to a standing committee or a select committee. I hope the minister will deal with this item and make a commitment to do that even if it has to be done after the election, assuming the bill passes. If he withdraws the bill right now, we will have much more opportunity to send the bill to a standing or select committee.

The sort of issue that a standing or select committee could discuss is the whole question of whether the government is providing sufficient funding for the treatment of alcohol addiction. In fact, it could also look and see whether our statistics are adequate on the extent of alcohol addiction. It should also study the effect on our families and children and individuals of the effects of alcohol addiction. It should look at the adequacy of our programs for rehabilitation of people with alcohol addiction. It should look at the funding for education in avoiding alcohol addiction. All of these are matters which we need a great deal more research on and a great deal more understanding of.

We know that there is now quite a lot of concern about drinking and driving, but there is very little concern about the effects of drinking on battered wives and on children in families where one or another of the members of the family is an alcoholic or a person with alcohol addiction. We know very little about the health effects of long-term drinking or of becoming a victim of alcoholism. We know very little about the effects on recreational needs and how much recreation is not proceeded with because of so much more time being spent on alcohol-related activities, which the television programs tell us, of course, are very healthy. As long as you do not show the bottle of beer, it is all right to say that Molson's is advocating this kind of activity.

Again, I think the advertising of alcohol is something that must be looked into. The original regulations which were brought out in the spring of this year, new advertising regulations, are still no very great improvement over the old ones. There is still allowance of a considerable amount of sexist advertising in alcohol ads. There is still a considerable amount of indicating that it is really fun and the only kind of fun really is to have alcohol-related recreational and sports activities, or the 19th hole, whereas I think we have got to be looking at our whole recreational and health opportunities and the alternatives to an alcohol-related event as being the main form of entertainment.

I urge the minister to comment on the need for this kind of study, and I hope he will promise it. I also hope he will reconsider the bill itself and see that we certainly have proper amendments to maintain public hearings. Our party will be introducing some amendments to spell out more precisely what kind of notice must be given on public hearings and to restore the opportunity for public hearings in most cases and for adequate advertising of the public hearings so that the public will know and will have an opportunity to register its objection. I hope we will also have localized public hearings in the neighbourhoods so that people do not have to go down to the Lakeshore establishment in working hours and that they will have an opportunity to have a real say in liquor regulation in this province.

I urge the minister to respond to my requests.

1600

Mr Sterling: This act undertakes some reforms to the Liquor Licence Act. We welcome them in a positive manner and wish to discuss them in a positive manner. There are some parts of the bill which we think should be strengthened, and we also

believe that just perhaps there is much too much left up to the cabinet to make regulations on its own. You only need turn to the regulation section of this bill, section 62, and it has no fewer than 34 separate paragraphs allowing the cabinet of Ontario to do almost everything but take over the government of Ontario in terms of liquor. I would have preferred, as opposition parties always prefer, to have more of the specifics contained within the bill.

I want to also talk briefly about the selling of liquor to people under age. The age for buying liquor in the province of Ontario is 19 years. I believe that this bill does not go far enough in penalizing those who contravene that law. In many states in the United States if a server of liquor is caught serving a person under the age that is approved in those states for buying liquor—and it is 21 in many, many states now—then the licence for that establishment is immediately revoked. I believe that only through that kind of sanction will there be due diligence on the part of the people who are entrusted to serve liquor, which is a form of drug, to young people who are not qualified in age to do that.

It is also interesting that there is a distinction made, in section 30, between those who sell liquor to a person under the age of 19 years and those people who serve a person under 19 years of age with liquor. I cannot quite understand why the minister puts a different requirement or burden upon the person who might sell a young person a bottle of liquor as opposed to somebody who goes into a bar and purchases one glass of liquor. It seems that the way the act is structured it would be easier for young people to buy a bottle of liquor than it would be for them to buy a drink of liquor, and that somehow seems contradictory in terms of the requirement of people who are running Brewers' Retail stores, who are running government liquor stores and who are running agency stores under the Liquor Control Board of Ontario in small communities across Ontario. Somehow they are not required to ask for proof of identification that a young person is at least of the age of 19 years.

Therefore, we have a bit of difficulty with the act as it now stands and perhaps we will be making some suggestions in terms of amendments when this bill will be referred to the committee of the whole House, as I understand it will be.

I agree with the member from the New Democratic Party who was speaking prior to myself, the member for Beaches-Woodbine, that it is perhaps a kind of bill that should be given vetting by the public. However, we do not see that this is a major piece of legislation, and quite frankly we do not have the time before the end of this session to do it properly. If all the rumours are as they are touted to be, that there will be a provincial election coming along, it is perhaps our party's position that we would prefer to see some amendments to this act at this time than have nothing happen at all.

When this bill was first introduced in the Legislature I had an opportunity to respond to the minister's statement. One of the things I mentioned in that response was the problem that we seem to be having in "small-town Ontario" with groups that are rather small in their size and structure and that want to hold a small party where they would sell liquor. It has been the policy of this government, and I see it within the confines of this bill, in terms of making higher demands on the people who are serving liquor, to make it harder and harder to hold a small event and serve liquor at that event, the reason being that with the increase in the qualifications for the people who are serving liquor there are going to be fewer people who will be able to fulfil those requirements.

Second is that the government has already taken one of the most drastic steps against small-town Ontario and small non-profit groups that want to run their own events on Friday and Saturday night or whatever. I mention briefly a small theatre group in my riding, the Kanata Theatre group, which runs its play on several occasions during the year, four nights of the week. They usually have a very good crowd out, but at intermission they would like to offer the patrons an opportunity to buy a glass of wine. Quite frankly, because it is a family event, there may be, out of a crowd of 150 to 250, 50 people who would take advantage of the opportunity to buy a glass of wine.

This government has introduced a standard fee for a special occasion permit of \$100. The Kanata Theatre group and many other groups like the Kanata Theatre group cannot afford to pay \$100 a night for a liquor licence. That means they have to pay \$400 for the four nights on which they hold their play in a local high school. It really leaves them in the unenviable position of either not offering their patrons the opportunity to enjoy a glass of wine or encouraging their patrons to buy much more wine, and offering other kinds of liquor as well, in order to cover the cost of the \$100 special occasion permit.

I think that is contrary to what we should be encouraging in this province in terms of consumption of alcohol. We remember that alcohol is a drug and we should, as even the breweries are recognizing, have people consume in moderation and consume less quantity, if that is possible. I know that operates against our liquor companies and our breweries, but I think even they realize that excessive consumption is not good for the people of Ontario.

I commend Molson Breweries, for instance, on its Take Care program, on which it has spent over \$18 million in advertising on television that women should not drink while they are pregnant, that if you are in a bar and you are drinking there should be a designated driver and that people who are drinking should not drive home. I commend that kind of action.

But this government, by its policies—part of them being put forward in this bill—are not saying to our people, “You should drink less,” or “Moderate your consumption as best you can.” This bill and the actions of this government have said to the people, “You’ve got to drink a lot to make it economically viable.” According to this bill, you are going to have to hire people who are skilled in bartending and serving liquor and whatever, whereas before you used to be able to get the secretary of the association or the president or the vice-president, as happens in the Kanata Theatre group; anybody who is close stands behind the bar and serves a glass of wine.

1610

I think what is happening here, the formalization of the process, in order to protect society against some larger problems that are out there, is going too far and hitting at the smaller groups that are operating in a very responsible manner. I have now been a member of this Legislature for 13 years and I do not know how many times there has been a special occasion permit issued in my riding, but it is thousands and thousands, and I cannot remember one occasion when the privilege or the licence was abused by the people of my riding.

I think there is a bit of overkill with regard to the special occasion permits in this bill and I would hope that there would be some moderating force put forward.

We would like to see a single licence classification system, and we think the idea is a good one. We should eliminate the great number of classes there are. I think there are 11 classes of licences now in place. It is time to modernize that whole part of

it. I hope, under the new regulations, that our liquor licence inspectors will not spend all their time going around looking at till receipts and matching how much liquor has been consumed in the premises and how much food has been served. That, quite frankly, was a waste of time, it was archaic and our liquor licence inspectors should be involved and concerned with other issues, perhaps issues like the one I mentioned at the beginning of my remarks, that is, the service of liquor to underage people.

This new legislation will require server training. While I have said we are in favour of that in a qualified way, we would like to see there be some limitations with regard to special occasion permits, perhaps on the size of the event or whatever. The minister may say that that would require more administration, and I say so what? Perhaps there should be some cross-subsidization of the small events for the small communities if in fact that is necessary within the whole liquor system.

We have experienced in the most recent past that every time a special occasion permit is asked for there seem to be more and more letters that have to be received from various and different officials. Quite frankly, I believe that the officials are probably giving out the letters almost from a photocopy machine. I would only ask that the minister keep them within reason.

We were pleased to see that there seems to be some rationalization of serving alcohol at major professional sporting events. It seems to make some sense to expand what has been in place for some years in a more reasonable and rational way.

We intend to support this piece of legislation on second reading. I know my colleague the member for Leeds-Grenville will no doubt have some comments to make when we get to the stage of committee of the whole House. We have some minor amendments which I believe the government may in fact be agreeing with and which the minister is aware of.

In summary, we would therefore ask perhaps that the minister look again at section 30 with regard to serving and selling liquor to people under the age of 19. We would also ask him to consider the amendments which we have placed before him in private letters to him from the member for Leeds-Grenville.

Mr Farnan: My colleagues have already pointed out a great many of the concerns we have, particularly my colleague the member for Beaches-Woodbine. I am going to limit my remarks to some extent to two or three topics.

The first particular topic I want to draw attention to will refer to some amendments that I will be putting on the floor when we move to committee of the whole. The first of those amendments is that the Liquor Licence Board of Ontario allocates 1% of the net profits of the board for the purpose of alcohol rehabilitation programs.

I do not think you can have an overview of liquor licensing and the sale of alcohol in Ontario and the entire document be without reference to rehabilitation programs for alcoholism. That I find absolutely extraordinary. I want to go on record immediately by saying that neither I nor the New Democratic Party would have objection to alcohol. That is not the problem. But I think we all have to realize that there is a dark side to alcohol. There is a dark side to the promotion of alcohol, and even the brewers of Ontario have recognized this fact.

This government is in the business of generating as much revenue as possible. That is the name of the game, whether it is in the area of alcohol or whether it is in the area of lotteries. Recently, in a debate concerning the Ontario Lottery Corp, I moved a motion that one half of 1% of lottery profits be designated for the education and the treatment of pathological gambling. In this House, the minister repeatedly said to me, “But there is no strong evidence that there is a correlation between

lotteries and pathological gambling." The fact of the matter is that we had committee hearings last week and many individuals who are pathological gamblers came forward and said that there was and that indeed it has ruined their lives.

Mr Neumann: Get on the subject.

Mr Farnan: One of the few government members who happens to be present during the course of this debate is saying, "Get on the subject." I am saying to the member for Brantford that I want to speak to the subject. If the member for Brantford does not think that alcohol is a problem that must be addressed in Ontario, I have news for that member, because I believe the people of Brantford realize that, although alcohol can be used socially, there is a dark side. A government that fails to address the dark side of alcohol is failing to address a very significant problem in the province of Ontario.

I know the government can point to some areas and say, "Yes, we have this particular treatment or that particular treatment available." But I want to tell the member for Brantford that if one happens to be suffering from the disease of alcoholism and one is looking for treatment in Ontario, one may well be out of luck because the waiting lists in the rehabilitation centres are extraordinary. Many people are being referred to the United States for treatment at considerable cost to the province. The waiting lists are such that people with alcohol problems are dying for lack of treatment in Ontario and, because they cannot afford the 25% of treatment in the United States, that option is not open to them.

1620

I say to the minister it would be a bold step indeed, it would be a courageous step indeed, if this government had the courage and the vision to say, "We are going to place one percentage of all the liquor licensing board's profits into alcohol rehabilitation."

There are more progressive jurisdictions, in handling this particular issue in the North American continent, which are in fact taking this kind of initiative. They see the absolute correlation between the sale of alcohol, the widespread use of alcohol, but more significantly the abuse of alcohol, and a government that is receiving extraordinary revenues from that sale. For 1% of total profits we could have the best clinical treatment in the world, if we were to take that kind of strong step.

The brewers of Ontario, already realizing that the general public is questioning the aggressive marketing of alcohol and alcohol beverages, are taking some steps, but we all know the dark side of this issue. You will never see the brewers of Ontario saying: "Here are the broken bodies. Here are the smashed cars. Here are the ruined lives. Here are the families that are broken up. Here are the battered victims of domestic violence as a result of alcoholism." We never see that in the advertisements.

Admittedly, there is a creeping responsibility on the part of brewers to say, "If you're pregnant, this isn't the time to be drinking." There is more evidence of brewers saying, "Okay, if you're driving, don't drink." But let's say to the government of Ontario, show the leadership, accept the reality. The reality of the matter is that as they expand the amount of alcohol that is available and expand their profits, there is a percentage of individuals whose lives must be rehabilitated. I will be unchallenged on this fact.

I can name all kinds of individuals who have to go to the United States for treatment. The Minister of Health is not here today, but I say to the minister, if I were to bring forward

somebody today and say, "Look, this person is in desperate need of alcohol rehabilitation and there is not a place for this individual in the province today"—he can go on the waiting list, and maybe, if he is lucky, months later he will get the treatment—the government would say, "We'll facilitate treatment in the United States."

If you are an individual who is suffering from the disease of alcoholism, you have already burned your bridges. You have probably lost your family or you may well have lost your family. Certainly your financial assets may have disappeared and you are not in a position to pay that 25% of the cost of a United States clinic. You have broken the bridges with the people who might help you out. So I would ask the government to look at a courageous step.

Last week, we took the issue of lottery tickets to the general government committee. At that committee, we asked for half a per cent of lottery profits to go to pathological gambling rehabilitation. The committee was so impressed with the delegation that came forward, with the medical evidence, with the counsellors, with those individuals who have the disease of pathological gambling, that it passed a motion, which will be read when the committee reports back to this House. That motion says that the Minister of Health give priority funding for those suffering from the disease of pathological gambling.

I would say to the Minister of Consumer and Commercial Relations and to the Minister of Health that exactly the same requirement must be made for those who suffer from the disease of alcoholism. When you take a bill like this, and it is a very, very comprehensive bill, and you deal with all kinds of details of licensing and availability of alcohol and you do not give one sentence or one reflection on the downside of alcoholism in Ontario, then the government certainly has some questions to answer.

I want to repeat that social drinking and social gambling for most individuals are not a problem, but for some individuals they are a disease. The government of Ontario, which is filling its Treasury with all kinds of revenues from the sources of alcoholism and gambling, has to answer these questions: Why is it that the pathological gambler in Ontario and why is it that the individual suffering from the disease of alcoholism in Ontario, have to be sent to the United States for treatment?

We are generating \$500 million in lottery profits. God knows what kind of profits we are generating in the province through the sale of alcohol. Yet those individuals who suffer from these two diseases have to go south of the border for treatment and they have to make this payment of money at a time when the disease has taken away their ability to pay.

I appeal to this government, to this minister, to the cabinet and particularly to the Minister of Health. Those people who suffer from these diseases from which this government is earning revenues—surely we have a responsibility. Surely we must be able to build the kind of clinics in the province that can take care of the people of Ontario who are sick.

The second amendment I will be putting forward is an amendment that my colleague the member for Beaches-Woodbine has spoken to so eloquently, and I will not attempt to replicate her efforts in that regard. However, it is in the area of notice of a licence and notice to all residential and business premises. There is no indication in the bill that residences and businesses surrounding the site of an application for a licence will receive any written notice. What the bill says is that the notice for the licence will appear in the newspaper. That is fine, but we must insist on a written notice to every home and to every business that could possibly be affected by the licence.

1630

Not only must we give the neighbours the information that a licence is being sought, but we must specify what type of licence. Many of the members of this House will be aware that a great deal of the antagonism and frustration of the neighbours often comes around the issue of adult entertainment establishments, often around the concept of strip clubs, and it is fairly understandable that the neighbours would have objections to this. It does not really help to say to the neighbours that there is a licence being sought on this particular site if the neighbours do not know whether it is going to be an adult entertainment establishment or strip club. Therefore, we would say to the minister that surely we have to work in order to get a process in motion in which the neighbours know what is taking place.

There has been no greater champion of residential neighbourhoods, of small business communities, than the member for Beaches-Woodbine. There is nobody in this House who is more knowledgeable of the difficulties and the depth of feeling that people have when this kind of licence is being thrust upon the area.

I would be the first to say I do not know exactly how this can be nailed down. I have gone to the member for Beaches-Woodbine because of her experience in this particular field, and I want to suggest she has certainly been the author of the amendment that we will be putting forward adding subsections 7(1a) and 7(1b).

It reflects her experience and it reflects her commitment. When one is drafting legislation, surely one goes to the champion of the issue on the part of the public. That is why I went to the member for Beaches-Woodbine, because over a career as the representative for that area, both within her own community and within this House, the member has been a consistent champion of protecting her constituents' residential areas and small business areas from the negative aspects of issuing licences.

The minister was nodding his head in agreement, I have to tell members, when I spoke in high praise of my colleague and recognizing the fact of her experience. The minister nods his head in agreement. All he has to do now is go that one step further and accept the advice that has emanated from my colleague's experience and support the amendment we are putting forward.

I can tell members that there is not a community in the province, there is not a residential area in the province, there is not a small business section in the province that does not want to see us put in place, whatever it takes, the kind of regulation that will give them advance notice if there is going to be an adult entertainment establishment or a strip club coming in as a neighbour.

That is all we are saying as New Democrats. We are not ruling out the fact that these things may exist. All we are saying is that the neighbours have the right to know in advance that public hearings will be held as a result of one of these neighbours' filing a complaint.

As I said, my colleague the member for Beaches-Woodbine, has elaborated very diligently in this area. That is already in the record. I just simply wanted to underscore my own feelings. I know in Cambridge we have had a lot of dissension surrounding this issue and, as I said, I suspect in communities right across the province. Just because it is a tough issue does not mean that as legislators we should run away from it or say, "Well, we are not going to solve that one that." My suspicion is we have not solved that. We look at the legislation; we have not solved it.

I want to talk very briefly about the LCBO stores and the employees thereof. The best protection for the responsible handling and sale of alcohol in Ontario rests very firmly with the professional men and women who work in the LCBO outlets. We are very concerned. The minister and the government are saying they want responsibility in the sale and the control of alcohol on the one hand, but on the other hand are in fact moving towards agency stores where the professionalism and the controls certainly do not meet the standards of the professional men and women who work in the LCBO stores.

That is very important. I hope that the government will recognize that fact, back off from its expansion of agency stores and go back and put its trust in the professionalism of the men and women who work in the LCBO outlets.

I am grateful, I want to mention, for a moderate response to a concern that I put forward with regard to taxi drivers.

When I first came in contact with the legislation and it came to my notice that taxi drivers could be charged up to a \$650 fee for the permission to deliver alcohol, it struck me as very exorbitant. We have conflicting views, I suspect, in all three parties on this. In my view, the taxi drivers of Ontario play many roles. I do believe that the taxi driver is part of the social fabric of the community, part of the economic fabric of the community. Many taxi drivers in small towns have very regular customers. There are certain children that they have to drive to school. Sometimes they do a run for a senior citizen who cannot get out on his own and perhaps pick him up a bottle of booze. That is fine. The reality of the matter, though, is that to suggest to these taxi drivers that there would be a \$650-fee for perhaps simply providing a social service really, in effect, is just mind-boggling.

Not only that, these people—I know the men and women who drive taxis in my community—are the most responsible individuals you could possibly imagine. Certainly they judge situations in a very commonsense way. They do not abuse the privileges that they have, but if there is an act of kindness or an act of generosity that they can fulfil, these men and women do it.

1640

When I saw the suggestion of \$650 as an application fee, I certainly signalled to the government representatives that it was something that we could not support. We are happy to say that there has been a response to that particular aspect, and the draft regulations are being revised to eliminate the application fee in the case of taxis holding a municipal taxi licence.

Certainly this is an improvement, but under the new proposed fees, a taxi company would pay \$225 for a two-year licence and \$100 per vehicle every two years. I certainly would like the men and women who drive taxis to have an opportunity to respond to this. Therefore, when it goes to committee, it is something that I hope we can look at.

Hon Mr Sorbara: Okay, let's get there.

Mr Farnan: I am always impressed with the enthusiasm of the minister to move business forward and I want to co-operate as much as I possibly can. The minister says, "Let's get there."

I want to speak again from my experience of Cambridge, part of small-town Ontario. We in Cambridge are in that magnificent situation where we have all the amenities of a large community and yet we have the very warm and personable atmosphere of small-town Ontario. I want to reinforce comments that were made about what is happening in terms of small non-profit groups.

This legislation, legislation that allows licences at \$100 for small groups, has a negative aspect. I am thinking of the Galt Little Theatre or a little gathering of the library board or whatever. This government is saying that it is going to cost \$100 in order to serve a glass of wine at that function. This is an extraordinary approach on the part of the government to basically non-profit groups that have shown the most extraordinary accountability over the past many years.

On every weekend, and perhaps on the odd occasion during the week, hundreds of these licences are given out. Whether it is in Cambridge or in the surrounding communities, right across the province thousands of licences are given out, and they are not abused. Yet in order for a small non-profit group to apply for that licence at a cost of \$100—it is basically almost an incentive to them, where you say, “You’ve got to find ways in which to get people to drink more, because if they don’t drink more, this licence is going to end up costing you in the pocket.” It does not make sense. I think a little application of common sense to this particular issue would resolve the matter and would make it possible for small groups to serve a glass of wine or a drink without having to go the route of having a whole function at a cost of a \$100 fee for a licence.

My colleagues have put forward a whole variety of suggestions to the minister. They have put forward a whole variety of concerns, which we know the minister and his ministry will take seriously. I believe there are some positive elements within the legislation. Of course, what is positive, we will support; what is not positive, the minister has to expect we cannot. I suppose the other final point is, for a vision for the future, we hope the minister will listen to some of the suggestions that we put forward.

Hon Mr Sorbara: I just want to wrap up debate on the bill as quickly as I can. I know there is other business that the House wants to consider this afternoon.

I want to begin by saying that I really did enjoy the debate. I think each of the members, including the member for Scarborough West raising concerns about the age of drinking; the member for Beaches-Woodbine; the member for Cambridge and my good friend the member for Carleton made comments that were relevant to the broader public issues and the question of the regulation of beverage alcohol.

I do not want to spend too much time in responding to the concerns, because many of them can and, I tell my friends, will be dealt with in the regulations that are made under this act.

My friend the member for Scarborough West suggested that we must not derogate from the Human Rights Code and create a drinking age that is beyond the age of majority as recognized under the Human Rights Code, and that is 18 years of age. I understand why he is saying that, and this is a matter that has had some debate in the province on an ongoing basis. I can only say to him that in the interest of keeping beverage alcohol out of high schools, in the interest of keeping beverage alcohol out of the hands of minors, in the interest of a society that puts a premium on ensuring that one is a full adult before using beverage alcohol, we have decided that we would maintain the age of majority for the purposes of beverage alcohol at 19, and that is why the act has an amendment to the Human Rights Code.

Second, some comments were made—and I think this was the other important point, by the way, that the member for Scarborough West raised and that is the question of advertising. He was appalled that there was an element of sexism and exploitation of women in ads for beer, and perhaps wine and spirit commercials, on television and in newspapers. That may be the

case, but the fact is that this act is not designed as a means of censoring or qualifying the commercial freedom of speech that we have in our society. It may well be that legislators somewhere want to consider some constraints on media in those areas, particularly the exploitation of women. But if we were going to do that, why would we say that we would do it with beverage alcohol and not with the sale of cereal or furniture or, heaven knows, cars or perfumes or whatever? Although I understand what he is offended by, I simply say to him that that which is offensive in our society ought not necessarily to be illegal.

My friend the member for Beaches-Woodbine spoke at length about provisions respecting notice. I want to tell her, if we can get to committee of the whole expeditiously on the bill, or when we do, I hope to introduce an amendment that will allay some of her concerns—I say “some” and emphasize “some”—in respect of notice. I do not agree with her that we ought to canvass within a 500-metre range, because many of the objections that she spoke to when she talked about the bill relate to the municipality’s responsibility to regulate the use of premises; for example, the famous adult entertainment parlours, as we call them so carefully. It is not for the Liquor Licence Act to regulate that. It is for the municipality to decide questions of use of space and the licensing of adult entertainment parlours through its zoning mechanisms, not for this act, which has a broader and more comprehensive responsibility.

Other matters that she mentioned, as my good friend the member for Scarborough-Ellesmere points out, have to do with parking and use of premises that again fall within the ambit of the municipality. She did mention, and others mentioned, the appeal to the Commercial Registration Appeal Tribunal. I understand that argument and I have heard it expressed almost 20 different ways. Where should we provide for an appeal? I simply say that the Liquor Licence Board of Ontario is a mature, quasi-judicial body and I am satisfied that, given their ability to rehear a matter, the qualification for appeal, that is, to the Divisional Court on a question of law, is an appropriate one, because it reflects that which is available to all other quasi-judicial bodies in the province.

1650

I do want to say just a word about the issues raised by my friend the member for Leeds-Grenville, although he is not here today to hear the responses and the end of the debate. He was concerned that we were actually putting provisions in the act dealing with boating and that we were stating in clear terms, “We want to be certain about this, that it is an offence to consume beverage alcohol on a boat, just like it is in a motor vehicle.” There are exceptions—when the boat is anchored and it is used as a residence, of course. But surely to goodness, if you listen to the kinds of concerns that our police have, particularly police dealing with boating and on waterfronts, the extent to which boating and drinking is a problem demands that we put these provisions in the bill, and I am very proud of them, notwithstanding what my friend the member for Leeds-Grenville said.

Finally, on the comments of my friend the member for Cambridge, I understand why he is putting forth provisions relating to a 1% tax on sales to deal with rehabilitation. We all have to be concerned with rehabilitation because, as he says, and as I have said, as we all acknowledge, we are dealing with a powerful substance when we deal with beverage alcohol. But I am not sure what he suggests is the appropriate solution. I think the solution is in this bill: a better form of regulation, a better

form of control, a control that really will give us the ability to license establishments and control establishments to minimize abuse. He also was talking about notice and complimenting our friend the member for Beaches-Woodbine on her remarks.

I have a copy of the amendments that they propose to introduce. I hope we can debate those thoroughly when we go into committee of the whole House on the bill.

I would simply end by thanking them for participating in the debate and suggesting that we deal with this bill expeditiously so that we can pass it into law.

Motion agreed to.

Bill ordered for committee of the whole House.

VITAL STATISTICS AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LA LOI SUR LES STATISTIQUES DE L'ÉTAT CIVIL

Mr Sorbara moved second reading of Bill 150, An Act to amend the Vital Statistics Act.

M. Sorbara propose la deuxième lecture du projet de loi 150, Loi portant modification de la Loi sur les statistiques de l'état civil.

Hon Mr Sorbara: The members will recall that I introduced this bill some time ago in the House. I said at that time and I reiterate at this time that it is a rather technical bill but an important one none the less.

The changes that are provided for in Bill 150 will affect the way in which registration of births, marriages and deaths are recorded and stored in the province. With the new computer technology called auto-imaging, documents and other information will be rapidly transmitted and recorded and will be stored in machine-readable form. In addition, security safeguards will be vastly improved.

What this bill does—these amendments to the Vital Statistics Act—is provide us with the statutory authority to store records in this way and to transmit information in ways that are now available to us through modern technologies. The innovative technology that I have referred to will also allow the office of the registrar general to operate out of a head office in Thunder Bay. This is one of the moves that will be taking place over the next while in conjunction with the government's northern relocation program.

I should point out as well that, of course, a walk-in centre will be located in Toronto using one set of the records that will be generated under the act under the responsibility of the registrar general.

Grâce à cette technologie de pointe, le bureau du registraire général à Thunder Bay pourra partager un seul ensemble de données avec son bureau satellite à Toronto.

These amendments will also permit many of the registrar general's historical documents to be transferred to the archives of Toronto, where services can be better provided to historians and genealogists.

Housekeeping amendments have been included to streamline the administration of the act.

The government believes that these changes will greatly improve the services of the registrar general and provide the people of Ontario with greater accessibility to Ontario's historical records.

With that, I urge that all members support this legislation, which would allow the Ministry of Consumer and Commercial Relations and the registrar general to proceed with their pro-

gram of improving the technologies, relocating the offices and providing a better service to the people of the province.

Mr Sterling: In that my caucus colleagues have not had an opportunity to look at this piece of legislation, and due to the fact that we are expecting very shortly Mr Mandela to appear on the front steps of the Legislature, I move adjournment of the debate.

The House divided on Mr Sterling's motion, which was agreed to on the following vote:

Ayes 22; nays 2.

1700

House in committee of the whole.

LIQUOR LICENCE ACT, 1990

Consideration of Bill 175, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor.

Hon Mr Sorbara: Mr Chairman, with your permission, I might just move down to the front of the chamber for consideration of the bill. There are some amendments that will be presented.

May I just point out that I think we have given notice to the opposition parties and the Chair that the government has amendments to section 7 and section 62. I understand that the opposition parties have a couple of amendments as well.

The Chair: From you I have an amendment proposed to subsection 7(1)—7(1)(a); 7(1)(b)—and subsection 62(1). You have two, correct? Do your critics, Hansard and the interpreters all have copies?

Hon Mr Sorbara: I understand they do.

The Chair: Does the third party have any proposed amendments? No.

Minister, your official opposition critic says he does not have copies of your proposed amendments.

Hon Mr Sorbara: I will arrange that copies of those amendments be sent to him.

The Chair: The official opposition has two proposed amendments, correct? The member for Cambridge, do you have two proposed amendments?

1710

Sections 1 to 6, inclusive, agreed to.

Section 7:

The Chair: Mr Sorbara moves that subsection 7(1) of the bill be struck out and the following substituted:

"7(1) Subject to subsection (2), the board shall give notice of an application for a licence to sell liquor to the residents of the municipality in which the premises are located by giving notice,

"(a) in the prescribed manner in a newspaper having general circulation in the municipality, and

"(b) in any other manner that is prescribed."

Hon Mr Sorbara: This provision, if you compare it to the unamended section in the bill, points out more clearly the responsibility to advertise in a newspaper so as to give notice to as great a number of people as possible of an application as proposed.

Ms Bryden: I am glad the minister saw the light enough to recognize that at least it should be advertised in a newspaper in the community. In my amendment I suggest two newspapers, if there are two, in order to give the maximum coverage. Until he brought in this amendment, we did not even have a requirement of any advertisement in a newspaper. I think he is seeing the light rather late. It indicates that the whole method of notifying the public about an application is still very much left to the manner prescribed by the minister.

In his amendment there is no other requirement except advertising in a newspaper. It does not say anything about the length of notice he must give to people as to when the hearing will be and it does not say anything about the type of licence that will be in the advertisement. I think the amendment our party will be moving is much more full. So I would have to vote against this amendment because it is incomplete and our amendment goes much further.

Also, I would like to draw to the attention of the minister that if there had been this kind of notice, the very important issue that came up in my riding this spring about whether or not licensed premises should be allowed in a city park—the residents would never have heard about that proposal at all. Presumably, also there would have been no interdiction against it, because at that time a city park was considered subject to the provincial act, since there was no specific definition of what a park was or whether liquor could be allowed in it. At the

present time, the only liquor allowed in parks is under special legislation that covers Exhibition Stadium and some places on the island and things of that sort in Toronto. I do not know about elsewhere in the province.

The new act, under paragraph 34 on the regulations, mentions that this law will control the possession of liquor and the sale of liquor in provincial parks, the Niagara Parks Commission, the St Lawrence Parks Commission, the St Clair Parkway Commission and lands controlled by a conservation authority.

Interjection.

Ms Bryden: I am just pointing out that the adding of paragraph 34 under the regulations section would have ruled out the possibility of—

Mr Sterling: On a point of order, Mr Speaker: I am having difficulty hearing over the bongo drums outside and was wondering if it might be advisable if we adjourned the House at this time.

Hon Mr Sorbara: In consideration of the visit of Nelson Mandela and the music outside, perhaps I might move that the committee rise and report.

On motion by Mr Sorbara, the committee of the whole House reported progress.

The House adjourned at 1717.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexender, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
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Clerk: Smirle Forsyth

CONTENTS

Monday 18 June 1990

Members' statements		
Senior citizens' facilities	1811	
Mr Kormos		
Janet Enright	1811	
Mr Cousens		
Tourette Syndrome Awareness Month	1811	
Mr Neumann		
Children's health services	1811	
Mr Farnan		
Recycling	1812	
Mr McLean		
Book preservation	1812	
Mr Faubert		
Air services for the disabled	1812	
Miss Martel		
Cabinet members	1812	
Mr McCague		
Zebra mussels	1813	
Mr Riddell		
Statements by the ministry		
Occupational health and safety	1814	
Mr Phillips		
Landlords' restrictions on pets	1814	
Mr Scott		
Police tactical units	1815	
Mr Offer		
Responses		
Police tactical units	1815	
Mr D. S. Cooke		
Landlords' restrictions on pets	1815	
Mr Kormos		
Occupational health and safety	1815	
Mr Mackenzie		
Miss Martel		
Mr Cousens		
Police tactical units	1816	
Mr Sterling		
Landlords' restrictions on pets	1816	
Mr Sterling		
Oral questions		
Trade with South Africa	1816	
Mr B. Rae		
Mr Peterson		
Hospital services	1817	
Mr B. Rae		
Mrs Caplan		
Mr Eves		
Affordable housing	1818	
Mr Brandt		
Mr Sweeney		
Employment in northern Ontario	1819	
Mr Morin-Strom		
Mr Peterson		
Hospital financing	1820	
Mr J. M. Johnson		
Mrs Caplan		
Technological training	1820	
Mr J. B. Nixon		
Mr Conway		
Automobile insurance	1821	
Mr Kormos		
Mr Elston		
Affordable housing	1822	
Mr Cousens		
Mr Sweeney		
Plant closure	1822	
Mr Neumann		
Mr Phillips		
Palliative care	1823	
Mr Reville		
Mrs Caplan		
Queensway-Carleton Hospital	1823	
Mr Sterling		
Mrs Caplan		
Multiculturalism	1823	
Mr Neumann		
Mr Wong		
Unclaimed property	1824	
Mr Laughren		
Mr Scott		
Assistance to farmers	1824	
Mr McCague		
Mr Ramsay		
First reading		
Landlord and Tenant Amendment (Animals)		
Act, 1990, Bill 225	1824	
Mr Scott		
Agreed to	1824	
Committee of the whole House		
Occupational Health and Safety Statute Law		
Amendment Act, 1990, Bill 208	1824	
Reported	1825	
Third readings		
Mining Tax Amendment Act, 1989, Bill 104	1825	
Agreed to	1825	

Easement Statute Law Amendment

Act, 1989, Bill 106	1825
Agreed to	1825
Business Names Act, 1989, Bill 108	1825
Agreed to	1825

Second readings

Liquor Licence Act, 1990, Bill 175	1825
Ms Bryden	1825
Mr Sterling	1827
Mr Farnan	1828
Mr Sorbara	1831
Agreed to	1832
Vital Statistics Amendment Act, 1990, Bill 150	1832
Mr Sorbara	1832
Mr Sterling	1832
Agreed to	1832

Committee of the whole House

Liquor Licence Act, 1990, Bill 175	1832
Mr Sorbara	1832
Ms Bryden	1833
Progress reported	1833

Other business

Visitor	1832
The Speaker	1832
Nelson Mandela	1813
Mr Phillips	1813
Mr B. Rae	1813
Mr Brandt	1814
Adjournment	1833

Lists of members

Members and their responsibilities	1834
Committees of the Legislative Assembly	1837

TABLE DES MATIÈRES

Le lundi 18 juin 1990

Divers

Nelson Mandela	1814
M. B. Rae	

Deuxième lecture

Loi de 1990 modifiant la Loi sur les statistiques de l'état civil, projet de loi 150	1832
M. Sorbara	

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Second Session, 34th Parliament

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Tuesday 19 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le mardi 19 juin 1990

Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Langues paraissant dans le Journal des débats

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Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 19 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

LANDLORDS' RESTRICTIONS ON PETS

Ms Bryden: The Attorney General's deathbed repentance of yesterday, when he announced long-overdue amendments to the Landlord and Tenant Act relating to evictions of responsible pet owners, does little for the peace of mind of the thousands of apartment dwellers who have been harassed by landlords because they signed a no-pets clause in their leases or were unsuccessful in countering landlords' claims that their pets were a nuisance.

The Attorney General is still insensitive to the need of seniors, disabled persons and other apartment dwellers for the companionship of a pet. Studies indicate that pet ownership greatly contributes to the health and wellbeing of their lives.

The Attorney General brings in legislation at the 11th hour which may not be passed by the Legislature before the appeals of three senior apartment dwellers against eviction notices based on pet ownership will be heard in July. If the appeals fail because the amendments are not in place, the pet owners will have to get rid of their pets or move.

The Attorney General should recognize that most apartment dwellers do not have the means to pursue these questions in court. What is needed is a simple statement that tenants have a right to own pets, like the other half of the population. Other provisions in the Landlord and Tenant Act can deal with problems caused by irresponsible tenants.

BURLINGTON SOUND OF MUSIC FESTIVAL

Mr Jackson: It is with great pleasure that I rise to inform all members about Burlington's 1990 Sound of Music Festival, which begins tomorrow, 20 June, and will run until Sunday 24 June.

This year's festival highlight will be the Itabashi Friendship Fireworks display on Saturday night at 10:30. In January of this year the Japanese city of Itabashi was twinned with Burlington during a ceremony in which the Burlington Teen Tour Band was privileged to take part.

Notwithstanding the great physical distance between our two cities, our mutual relationship of deepened understanding and appreciation of one another has, ever since, greatly grown and developed. As a token of that appreciation the citizens of Itabashi, Japan, presented Burlington with a most generous gift of world-famous Japanese fireworks worth \$250,000. I would like to take this opportunity to thank the mayor and the great people of Itabashi for their kindness and generosity.

Among many other events there will be the Grand Festival Parade, which will march through downtown Burlington on Saturday morning. Special guests participating in the parade include the Canadian Forces Vimy Band from Kingston, the Regimental Band of the Governor General's Horse Guards and the American Legion Band of the Tonawandas' Post 264.

This year's Grand Marshal is well-known radio personality Paul Hanover, who will be on hand with Gloria Burgess, our Miss Teen Burlington, and Burlington's Teen Tour Band. Finally,

ly, the Ukrainian Tyrsa Dancers will engage everyone with their colourful dancing during the Evening in Kiev performances on Friday and Saturday at St Mary's Hall.

I invite all members of the House to attend.

JAPAN

Mr Tatham: Two views from America on Japan:

James Fallows: "Japanese society manages to outdo American society in some of the things America cares about. So it is the first serious intellectual challenge to the American model of organizing human energy. They have a system for organizing democracy and capitalism that is so different and yet works, it makes you re-evaluate your own system."

Steven Schlosstein: "Today it is human resources, not natural resources, that dictate a nation's competitive advantage in the information or knowledge-intensive age we are entering. It is no secret that Japan and, close behind them, the little dragons of Korea, Taiwan and Singapore have the best educated and most keenly trained human resources in the world."

If we cannot give our children the emotional stability and self-confidence they need, they cannot compete successfully in school and achieve their academic potential. If they cannot compete successfully in school, they will be unable to compete for the more technical, better-paying, higher-productivity jobs that are on the front lines of the trade and investment wars between Japan and the United States. That is food for thought.

WORKERS' COMPENSATION

Mr Laughren: The motto of the Workers' Compensation Board is "Justice Speedily and Humanely Rendered."

Ervin Cadeau had surgery on his right elbow on 20 April 1989; he returned to work on 17 May, which means he lost approximately four weeks' work. My office got involved in the case in October 1989. At that time the claim had been investigated and the file was sent to the regional medical adviser for a medical opinion. The file was then sent to head office for a further medical opinion. He was told it should take two and a half weeks.

A more detailed job description was required by orthopaedic consultants. Then further medical information was required. In January the file was referred back to the orthopaedic consultant at head office. In March the file was sent back to the orthopaedic consultant at head office again. At the end of April 1990 the file was still with the orthopaedic consultant in Toronto. Finally, in May of this year, the file was sent back to the Sudbury regional office. We thought, "Eureka, decision time." We were wrong again. The file was then returned to the medical adviser in Toronto to review medical information from a prior claim.

It is now over a year since this person's injury and still no decision has been made on his compensation claim. What ever happened to the motto of the compensation board, namely, that justice would be speedily and humanely rendered? It is long overdue that we had a universal sickness and accident system in this province.

1340

CHILDREN'S MENTAL HEALTH SERVICES

Mr Brandt: It cannot be disputed that one measure of government is how it treats its children. I would also argue that this is the most important measure of government.

This Liberal government has been made aware time and time again in this Legislature that over 10,000 children are waiting for mental health treatment in Ontario. In response to this crisis the Minister of Community and Social Services has claimed that he is waiting for the report expected in June by the special Advisory Committee on Children's Services, chaired by Colin Maloney, the committee that has spent a total of some two hours with the children's mental health professionals.

This report has still not been released and at least 10,000 children remain on waiting lists for children's mental health services. On 7 June the Minister of Education did not know if the Maloney committee had even met with his ministry.

This is a problem that has to be addressed by this government immediately. Children's mental health services must be made accessible. It is inexcusable that this government has known for over eight months that 10,000 children are waiting for and being denied those needed services.

SKILLS TRAINING

Mrs Fawcett: It was my pleasure recently to visit Loyalist College in Belleville and learn of the many and varied programs that are being provided to students attending that college. One such program that deserves particular praise and attention is Loyalist's Centre for Enterprise Development.

The centre provides training programs, seminars and workshops for clients in both the private and public sectors. In the past year, under a program known as Training Innovations, over 140 programs were delivered to 90 clients.

Useful programs, which range from the skills area such as saw-sharpening to the very sophisticated technological programs in the computer area, are in constant demand and that demand continues to grow. There are also numerous programs being made available to the handicapped and in particular the hearing impaired to accommodate and assist their entry into the workforce.

As its mandate indicates, the centre ensures that the workforce in the four-county area served by the college is being educated and trained to meet the challenges of the 1990s and beyond.

I applaud Loyalist College's innovative approach in conjunction with the opportunities provided from the Ministry of Skills Development and the private and public sector to help train or retrain workers to meet the needs of today's rapidly changing technologies, as well as providing the basic skills much needed for ordinary day-to-day living.

TIRE DUMP

Mr Allen: I have the next episode from the Mount Hope tire dump in the saga known as As the Tire Burns. Just recently, despite the presence of Joey, the guard dog, there was discovered a couple of young men a few feet from the tires, barbecuing with boards that came from a burned-out house just a few feet in turn from the Mount Hope dump.

Recently, at sunset, there was a delivery of new tires to this unlicensed salvage depot, which is not licensed to receive tires.

Most interesting of all—members will be interested in this—it was months ago that the Minister of the Environment

said we could take no action with regard to this fire dump because we had to make amendments to the fire code. The amendments to the fire code have not yet been tabled and apparently they are not coming.

Despite that, the fire marshal has now tabled a number of orders which will require that there be safety plans, that there be no burning on site, that there be fire extinguishers, that by certain dates there has to be the provision of adequate water to douse any fires that develop and that there must be a layout of the dump in such a fashion as to limit the number of tires in a stack, in laneways and all the rest of it.

This opens up a number of interesting questions about the future. Will Mr Musitano walk away from the dump and leave everything as it is? Will he ship these tires to a Third World country? Will the minister in fact back up these orders, having failed to do so in the past? And so the tire saga unfolds.

LEGISLATIVE INTERNS

Mr Eves: In 1976 the first group of Ontario legislative interns arrived here at Queen's Park. Now in its 14th year, the internship program was designed to provide university graduates with experience in the day-to-day operations of the Legislature and to provide members with assistance in their duties as members of the assembly.

Each September some eight or nine interns arrive at the Legislature for a unique learning experience. During the 10 months they spend here, interns function as additional staff, doing research, writing statements, questions, speeches, press releases and news columns. They prepare newsletters. They attend committee meetings. They respond to constituency requests and visit ridings. Interns work five months each for both a member of the government and a member of the opposition.

As a result of the good reputation that the internship program has earned over the years, MPPs remain eager to have interns assigned to them. Members such as myself this term who have had interns are very positive about the work they perform, and regardless of partisan affiliation, I think it is safe to say that members work hard to ensure that their experience is mutually beneficial to both the intern and the member.

This year's interns include Shaun Cody, Janice Duggan, Marianne Goodwin, Chris Happle, Deirdre Hilary, Chris Jones, Jackie Lines, Suzanne Schwenger and Catherine Steele.

Upon completion of the internship program, interns will go on to their work in both the public and private sector, increasing their knowledge of the political process through firsthand experience. I think we should all congratulate them and ensure the program continues.

FRED SHERIDAN

Mr Campbell: I rise today to pay tribute to the late Fred Sheridan, one of Sudbury's extraordinary citizens.

Fred Sheridan devoted over 50 years of his life to the education of young people in Sudbury, northern Ontario and Canada. He served for 40 years on the Sudbury high school board and the Sudbury Board of Education.

Fred's commitment to post-secondary education is well known, through his 14 years on the board of Laurentian University and as a founding governor of Cambrian College. He was also a founding member of the Northern Ontario School Trustees' Association. He also served as president of the Canadian School Trustees' Association.

Mr Sheridan's outstanding contributions were recognized with the awarding of a provincial citation for excellence in

education and the renaming of the Sudbury Mining and Technical School in his honour.

All of us who knew and worked with Fred Sheridan admired and respected his dedication, compassion and sense of humour. None of us will ever forget the parting shot at the end of every conversation, when Fred would say, "Keep your powder dry." Fred Sheridan will be truly missed in the Sudbury community.

MEMBER FOR HURON

Hon R. F. Nixon: Mr Speaker, before we begin the next order of business, I ask for unanimous consent so that the members of the House may make some comments on the announcement from our friend the member for Huron on his retirement.

Agreed to.

Hon R. F. Nixon: We heard with a great deal of interest the statement made by Jack Riddell, the member for Huron, that he would not be contesting the next election.

I am not sure as to his timing of this because many people think there will probably be another two years while we are still continuing business, but he thought it was appropriate. I felt it was also appropriate that we express our regret at his announcement and also recall some of the great days since he was first elected in 1973.

Before that, I should perhaps refer to the fact that he is a graduate of the Ontario Agricultural College, has been active in farm circles all his life and is still an active farmer, which gives an individual a certain degree of independence when it comes to politics. You can always say, "To heck with it," or words to that effect, "I'm going back to the farm."

Jack, of course, was elected under interesting circumstances as far as I was concerned in 1973. My own leadership was faltering a bit, if members can imagine it. I was Leader of the Opposition, and Jack came forward as a candidate in a constituency which had been held by the Progressive Conservative Party rather solidly and for many years, as a matter of fact at that time by the late Charles MacNaughton, a good friend of many people here, who had even been Treasurer. Members know how invincible that makes a member of the Legislature.

That Jack would come out of his teaching career and his farming career to accept a nomination for the Liberal Party showed remarkably good judgement, I felt at the time, and even now it has been borne out by his great success. Believe it or not, I was even contemplating leaving the leadership of the party myself at that time. I was not getting anywhere very quickly, although that is not usually a good reason to leave the leadership; at least I guess it is not. Jack's coming, along with Margaret Campbell, the member for Sudbury's sainted mother, put new fire in my belly, if that is not too big a conflagration to contemplate.

In any event, I contested the leadership convention to succeed myself and was successful, although there was another, let us say, fairly strongly held opinion at that time. But Jack and I have always been, of course, close friends and my own political career was directly affected by his decision to enter provincial politics.

1350

I think we had a good time in opposition and many, many good times in government. His impact on the Legislature, of course, has been extremely important. He was an outstanding Minister of Agriculture and Food, bringing forward innovations

which were remarkably well received by the farmers and effective in their impact.

Just on a personal note, the honourable members know from their own experience that when he joins in the debate the need for amplification in this room becomes redundant. We may have the opportunity to find out in a few minutes just how effective he is on these occasions.

I want to say to Jack and Anita and their family how much we have appreciated his friendship, which of course will continue, and to congratulate him on his years of effective representation of the people of Huron and in Bruce, at least in part at one time, and wish him well in all of his endeavours in the future.

Mr Laughren: I want to say a few words too about the departure of Jack Riddell, another relative newcomer leaving the chamber. I must say that I recall too when Jack Riddell first got elected. In my first recollection, we were sitting down there and the Liberals were sitting up here. I do recall that, and I remember the thing that struck me first was, as the Treasurer said, his booming voice from this corner of the chamber.

I remember hearing as well that he had been a teacher, a farmer, an auctioneer and now a parliamentarian. The mind boggles at what he could be going on to next. We can only let our minds wonder on that. I enjoyed the Treasurer's meanderings through history, as he recalled the career of the member for Huron, and I would be less than honest if I did not say that I and the member for Huron have probably disagreed more on issues over the years than we have agreed on them. I sat with the member for Huron when he was in opposition, when he was in government and when he was in cabinet. I chaired a committee when the member for Huron appeared before that committee as Minister of Agriculture and Food, and now, of course, again as he does his thing for government on committees as well.

The one thing that always struck me was that I could never imagine the member for Huron believing in something and voting the other way; or vice versa, not believing in it and voting for it. I will not say that is why the member for Huron is leaving government at this point, but one cannot help but wonder about these things.

I am sure I speak for his constituents and for all members in the chamber when I say that we do recognize the contribution that he has made to public life in Ontario. In particular, aside from the committee work with the member, I have enjoyed listening to him provide a very public and community-minded function when he acted as the auctioneer for the United Way auctions we have from time to time here in the Legislature. I think all of us enjoyed that very much.

Jack, we wish you extremely well as you move on to new challenges and a new career.

Mr J. M. Johnson: I am honoured to have been chosen by my caucus to pay tribute to the honourable member for Huron. I guess I am the closest Conservative you have, Jack; possibly the only one in southwestern rural Ontario. I do have one question, though.

Before I pay too many complimentary remarks, I would ask if you really are not intending to come back again. The member for Stormont, Dundas and Glengarry, our Agriculture and Food critic, said, "Make sure before you give him too many pluses." I do wonder, Mr Speaker, because as you were announcing prayers, Jack was sitting in the Premier's chair.

Jack, if indeed you are not running again, on behalf of our caucus and on a personal note I would like to pay tribute to a very fine colleague, a friend of many years and certainly an

extremely capable and deserving Minister of Agriculture and Food for a period of time; in fact, we on this side thought for a little too long. You are well respected in rural Ontario, even in Wellington, and I congratulate you for your efforts on behalf of all the farmers of this province.

Jack walked where many men have feared to walk and spent countless hours cleaning it off his shoes. I served for many years with Jack on the standing committee on resources development and I remember that on many occasions the rural members, regardless of party, seemed to vote against the urban members on many issues. We truly represented our constituents. I think we should do that in the House.

I remember in 1981, I think it was in January, that Dr Harry Parrott asked the resources committee to travel to Europe to look at the problems related to the industrial liquid waste disposal issue that was a very important issue at that day. We travelled to England; Munich, Germany; and Denmark. I believe when we returned that Jack said that the process in, I think, Ebenhausen, was extremely competent and he would not mind one in his riding. So I have passed that information on to Dr Chant.

In Copenhagen one night, and it was an extremely stormy night, Jim Taylor and you and I were walking along the streets of Copenhagen trying to stay out of trouble. I think at that time you announced that when you returned you intended to become Minister of Agriculture and Food in the very near future. Jack, you have achieved that goal.

Again, on behalf of my caucus and on a personal note, I would like to extend all the best to you in the future.

Mr Riddell: First let me say that I have come completely unprepared for a response because, being the humble person I am, I tried to avoid this tribute in the Legislature by making my intentions known from my home in the great riding of Huron. I felt that I owed it to the people in Huron to first indicate my intentions to them, because they have been very loyal to me over the 17 years that I have been here in the Legislature.

I must say that I had absolutely no aspirations whatsoever to jump into the political arena prior to 1973, although I will say that after my father served the agricultural community very well for 42 years as an agricultural representative for the Ontario Ministry of Agriculture and Food, he was soon approached by the federal Liberal Party to run for it, I believe, in the 1967 or 1968 federal election. Prior to that time I had no idea what our politics were, because back at that time if you worked for the government, you did not dare reveal what your politics were. I can honestly say that my father never discussed around the table what our political stripes might be. So I really had no idea what our politics were until my father ran on the federal Liberal ticket in 1967 or 1968. Unfortunately, he took a heart attack and was not able to carry through with that election.

1400

In 1973, I well recall a former member of this Legislature, Murray Gaunt, coming into my home and saying: "Jack, there are two by-elections. There's one here in Huron due to the retirement of Charlie MacNaughton, and there's one in a Toronto riding that will be contested by Maggie Campbell." Murray Gaunt said that if we could win these two by-elections, it would be the inspiration that Bob Nixon needed to carry on with the leadership of the party.

I have to say in all honesty that was probably the main reason I got into politics. I was quite happy with my lot in life. I owned a livestock sales business, I was teaching school, I had my farm and I really had no reason to get into politics. But I am

glad I did, because I think over the 17 years, along with all my colleagues and all members of the House, I have been able to make some kind of contribution for the betterment of the lives of our fellow citizens. In that respect, I have thoroughly enjoyed the friendship, the camaraderie, the collegiality of all the people in the Legislature, all those people with whom I have served.

I guess the highlight of my political career would be the four years that I was the Minister of Agriculture and Food, and I certainly appreciate the opportunity to have been able to serve in that capacity for four years. I am proud of the record the government established over that period of time, the fact that we—and when I talk about "we," I am talking about the ministry staff, my own personal staff and my colleagues—were able to introduce over 100 programs for the farmers in that period of time, and we practically doubled the agricultural budget. I think that was quite a feat and I sincerely hope my successor will be able to do the same because, dear knows, the agricultural community in rural Ontario needs some assistance. They are going through a tremendous transition, as most members well know, being that agriculture does not form the same economic base for a lot of these small communities that it once did, and now of course rural Ontario is looking for other ways of being able to keep its people at home and to see that they do have jobs.

With those few remarks, let me thank Bob Nixon, a person under whose leadership I have been extremely proud of serving. I am more than pleased that Bob has decided to take another run at it, because the place just would not be the same, as far as I am concerned, without Bob Nixon.

I do want to thank Floyd Laughren and Jack Johnson for their very kind words.

I do not know when the next election will be called, but I do want to take this opportunity to bid you all farewell, to wish you all the very best and to hope that our paths may cross many times as we continue our efforts for a better province and country.

STATEMENTS BY THE MINISTRY

HIGHWAY CONSTRUCTION

Hon Mr Wrye: I am pleased to present to the House the capital construction program for highways in Ontario for the 1990-91 fiscal year.

As my colleague the Minister of Northern Development has already detailed the northern Ontario highway construction projects, I will concentrate my remarks on southern Ontario.

We will invest \$587 million in capital construction projects on southern highways in this fiscal year. These expenditures will have a positive effect on Ontario's economy, generating an estimated 10,000 person-years of employment for the Ontario workforce. They will also contribute an estimated \$373 million to the economy in the form of increased personal and business incomes.

The 1990-91 program includes 169 new projects and 70 that are being carried over from previous construction years. All are detailed in this red-covered book, which I am sending to all members.

The expenditure on all of these projects will come from a 1990-91 provincial highways construction and maintenance budget of almost \$889 million, up about \$100 million over last year. Much of this new investment comes from the five-year transportation capital program, which allocated an additional \$1.2 billion to provincial highways commencing last year.

Safety is paramount throughout our highway system. We are now programming the construction of 10 to 20 kilometres

per year of median safety barriers to prevent crossover accidents on divided highways with narrow medians. At \$2 million for every five kilometres, this is a very costly investment but, as I stated, the safety of the people who use our highways is paramount.

Combined with the northern highway capital funds already referred to, we will be expending over \$1 billion in provincial highways improvements and maintenance this year. That is a prudent and necessary allocation of fiscal resources. This investment will maintain and build on the highway system which keeps Ontario's economy strong, its quality of life high and its citizens free to move in comfort and safety.

I therefore take pride in tabling for the House the provincial highway capital construction program for this year.

ARBITRATION

Hon Mr Scott: Today I will be introducing for first reading the Arbitration Act, 1990. This act will replace the present Arbitrations Act, which dates from the last century.

For many kinds of disputes, and increasingly, arbitration offers advantages over traditional litigation. It can be quicker and less costly than the courts, the parties can design their own procedures and the parties can pick arbitrators with the expertise and background they wish. They can resolve the dispute with less publicity than in a court proceeding.

The purpose of the new statute is to make it easier for people to submit private disputes to resolution by arbitration. It does so in several ways, many of which are modelled on arbitrations under the Labour Relations Act.

First, when people have agreed to go to arbitration, the act will help ensure that all parties abide by the agreement.

Second, the ability of the courts to intervene in an arbitration is spelled out precisely and narrowly, so their role will be entirely constructive.

Third, the parties are given broad freedom to design the procedures that suit them best. However, the act sets out procedures to be followed if the parties do not choose others, and gives the arbitrator power to help carry the arbitration through to its conclusion.

Fourth, the enforcement of the arbitral award is made more certain and less dependent on the discretion of the court. Enforcement of awards from other provinces is enhanced as well.

The Arbitration Act, 1990, reflects many of the provisions of our International Commercial Arbitration Act, which this House passed in 1988. The new act also adheres closely to most of the principles approved in 1989 by the Uniform Law Conference of Canada, which will be adopting this summer a uniform arbitration act based very much on the one now before the House.

By passing this act, Ontario will be promoting consistent legislation across the country on the subject, as urged by the Canadian Bar Association and the Arbitrators' Institute of Canada.

RESPONSES

ARBITRATION

Mr Kormos: First, we welcome the legislation, the new Arbitration Act. Second, we are going to do everything we can to facilitate an appropriate passage, and by that I mean, of course, passage after there has been effective consultation with groups here in the province that might have an interest in helping this Attorney General fine-tune legislation which may well have been prepared in some haste or with some disregard to

some of the finer points, points which could be pointed out to him by people who would be inevitable participants in this type of process.

We go from that point to the next point, and that is, why will this government not take some of its own advice? Here we have got some truisms. Arbitration? Well, this is very consistent with what the government has been doing lately, especially the Attorney General, in terms of alternative dispute resolution. Why, this government gave half a million bucks to a program here in the city of Toronto to facilitate and encourage alternative dispute resolution.

1410

We made our position quite clear. Once again, we support investigating and promoting and effecting alternatives to courtroom litigation. We have some real concerns. I talked about those before, as other people have, about the imposition of those alternative dispute resolution mechanisms on, let's say, family litigation, where they can create some real dangers for the weaker party. As this Attorney General inevitably knows, the weaker party in most family litigation means a wife and, as often as not, children. It may well mean and oftentimes does mean a wife and/or children who are victims.

When I talk about this government taking its own advice, listen to this, Mr Speaker. Down in Niagara north, we have got a whole bunch of grape farmers who have been betrayed by this government more than once. First, we had the Premier promising that he was going to fight free trade to the bitter end. Well, he threw in the towel long before the end. So we see a whole bunch of grape farmers in Niagara being put out of the farming business because free trade is destroying their future. The complicity of this government in the federal Tories' conduct vis-à-vis free trade is incredible.

This government said that it was going to participate in a grape acreage reduction program. In the first instance, it appeared to, but in the final analysis, in excess of 20 farmers, including people like Patricia Glochen and her family and 19 or 20 others have been betrayed by this government because this government would not fulfil its commitments in terms of the grape acreage reduction program.

Why does the Attorney General not take his little Minister of Agriculture and Food into the members' lounge when he is here and read his proposed Arbitration Act to him? The Minister of Agriculture and Food in this Liberal government tells those same victims of this government's inability to apply effectively the grape acreage reduction program, those same grape growers: "Sue us. Take us to court." The grape growers are saying, "No, please, let us participate in arbitration. Let us participate in an alternative dispute resolution mechanism."

The grape growers are prepared to submit themselves to an arbitration process. Even the federal government is prepared to submit itself to an arbitration process to resolve these disputes about who is and who is not going to get relief under the grape acreage reduction program. Do these Liberals agree to submit to an arbitration process? No. Their attitude, their position, their line with these same grape growers, these same farmers in Niagara Peninsula is, "See you in court."

The option to that is not to participate in arbitration. This Liberal government wants other people to participate in arbitration, but it does not want to participate in arbitration itself. The alternative to that is for the Minister of Agriculture and Food, the Attorney General's buddy in cabinet, to tell these same grape growers, "Go to the Ombudsman," knowing full well that the Ombudsman is going to be not just one year, not just two

years, not just three years, but perhaps as long as four or five years in the workings. By that time those vineyards are going to be paved over. There is not going to be a grape or a vine to be seen.

We support the legislation. The Attorney General should talk to his Minister of Agriculture and Food and tell him to smarten up, to listen to his government's own policy, to wise up and to start participating in the very same sort of programs that he is spending big bucks of taxpayers' money on, specifically, arbitration, when it comes to the grape growers down in Niagara.

Mr Sterling: It is ironic, as we are heading into the last two weeks of this Legislature, that the Attorney General is bringing forward a number of pieces of legislation. In that vein, I commented yesterday with regard to his bringing in an act dealing with the keeping of pets in apartments. I want to apologize to my daughter, Sarah, as evidently I impugned the reputation of our cat back home by calling the AG a pussycat yesterday.

But in another vein, this piece of legislation is a progressive piece of legislation. The Attorney General brought in last week another piece of legislation dealing with class actions. It is only unfortunate that we do not have an opportunity to discuss these pieces of legislation at length, to put them out to committees so that the public can have input into them.

It really is unfortunate that we are only two years and nine months into a Parliament which can run a period of five years, yet this government seems bent to call an election in September, even though there are many important initiatives which we would like to have on the floor of this Legislature discussed at length.

Really what is going to happen on 28 June of this year when this Legislature prorogues is that this legislation is going to die and it is going to be nothing more than a piece of paper.

We seem to see government initiatives by the Attorney General come forward only when we are facing an election. We would like to see legislation like this thoroughly discussed and put in place in law. We are quite willing to deal with this kind of legislation over the summer months and into the fall of next year.

We will be supporting this piece of legislation when it is called for second reading next fall. We will be looking forward to participating in a very constructive manner on it.

HIGHWAY CONSTRUCTION

Mr Wiseman: I have a response to the Minister of Transportation's announcement here this afternoon. I think all of us welcome the 10,000 man-years in jobs that this almost \$900 million will create. However, when I look at the booklet at first glance, I see that 3,452 kilometres of road were built by the previous government, and this year under expansion for eastern Ontario—one always looks at one's own area first to see what has been done—we find: highway widening, two kilometres; new highways, one kilometre; new bridges and widening, five; new interchanges, one; intersection improvements, one.

With all the members they have from eastern Ontario sitting on the Liberal side, you would think they would have a little more impact on the money that goes into eastern Ontario. The people from eastern Ontario depend on the Tory party and us members to highlight their concerns here and let the people know that we are sure not getting our fair share of the dollars that this government is dishing out.

Mr Cousens: The minister uses the word "paramount" twice in his brief, saying that safety is paramount. If it really were paramount, he would be spending an awful lot more in protecting people with the safety barriers than he is now. He is going to have \$8 million—

Mr Laughren: Spend, spend, spend.

Mr Cousens: Spend, spend. If you are going to say the words the way they do, you would start putting some money into safety. It just gets us sick after a while because they are not putting anything into the roads.

We are talking about safety on our highways and the minister comes out here and says, "I'm putting safety up front." The fact of the matter is that these safety medians are essential on our highways. We are having accidents every weekend with vehicles crossing the medians and we are seeing lives destroyed.

If the minister is going to say these words and really mean them, he is going to spend more than just \$8 million on those medians. It is less than 0.01% of the government's total budget. That is what we are talking about. If the minister means it, he should do it. He should not just come along in this House with the rich, happy words that do not mean a cotton-picking thing.

Interjections.

The Speaker: Order. That completes ministerial statements and responses. Even though there were only three responses, I want to thank many, many members for participating.

1420

ORAL QUESTIONS

PENSION REFORM

Mr Morin-Strom: I have a question for the Minister of Financial Institutions. Over the last month, the leader of our party, the member for York South, and I have come in here and, time after time, we have asked the minister where his reforms to pension legislation in Ontario are and when he is going to do something about pension indexing in particular.

Now we find out last Friday that the minister made an announcement at a business luncheon at the Hilton hotel that he is going to go ahead with two amendments to the Pension Benefits Act and that he intends to give the go-ahead to contribution holidays and to ease solvency requirements for pension funds. Both of these changes give employers greater access to pension funds and jeopardize workers' rights to secure and adequate pension benefits.

When is the minister going to make his announcements about pension benefits and the changes and reforms we need in pension legislation here in the Legislature and do something for the workers of this province?

Hon Mr Elston: The honourable gentleman is very liberal in straying from what his questions have been. He has asked me on occasion where our indexing legislation is. I have told him very specifically, as I said in that speech, which he of course did not repeat for the benefit of everybody here, that we are taking our time to review the material that has come in to us from the communities that we have consulted with and we are still considering the best means by which to move forward with indexing legislation. That is what I said about the indexing issue. Those types of replies were made consistently to his questions

about indexing and his leader's question about indexing. That individual knows this is what they are asking.

These other items are dealing with particular issues which have caused problems in the calculation of amounts of money to be paid into plans. They have been seen to have provided difficulties in meeting funding obligations while carrying on the ongoing concerns of a business, particularly with respect to the solvency issue, where there were regulations which required a company to fund the pension plan as though it were going to close down all of its operations at one time on one day. That required a type of—

Interjections.

The Speaker: Order. Supplementary.

Mr Morin-Strom: This minister finds it very easy to go to his corporate friends and hand over millions of dollars that pensioners have put into those funds. At the same time, he will do nothing to assist the pensioners of this province, the retirees of this province, those workers who are looking forward to retirement and know that their incomes on retirement are going to be eaten away because this minister has refused over the last five years to live up to his commitment to provide indexing for pension funds in this province.

The minister knows the contribution holidays are nothing more than a way for corporations to skim off funds that workers have put into their retirement funds. At the same time, the minister does nothing with respect to the problem of plant closures. He leaves workers even more vulnerable today because he is not going to insist that corporations adequately fund those pension funds, and employees are going to be the ones who are going to have to bear the cost when those pension funds are not in place.

When is this minister going to come forward with some real, progressive pension reforms as were committed to by this government five years ago today?

Hon Mr Elston: The honourable gentleman does not understand the issue at all. He would understand that you cannot have anyone taking a contribution holiday if a pension plan is not funded properly. A contribution holiday can occur only if in fact you are more than fully funded on a pension plan. The honourable member knows that, and he is trying to confuse the rest of the people by availing himself of wording which is leading to confusing the people of the province.

First of all, the changes which have been made by regulation are the types of things which allow people to focus on funding events which are realistically to happen. They are still required to have a solvent pension plan, but they are not required to fund their pension plan—every plan which they have a share in, that is, if they have a plant in several locations—as though they were going to close down their entire operation. For companies that have multiplant operations, it becomes a very remote possibility which requires the funding at a level which is unrealistic and prevents them from being flexible in the way they apply their capital.

Interjections.

The Speaker: Order.

Mr Morin-Strom: The minister is willing to go to the Hilton hotel and tell the corporate sector that he is going to give it millions and millions of dollars of pension funds that have been put in there by the employees of this province. This government made a commitment five years ago to pension reform based on the recommendations of the Ontario select committee on pen-

sions. Those recommendations have never been put in place by this government.

Just over a year ago, in March 1989, the minister made another commitment that over the coming 60 days the government would be consulting interested parties throughout the province on proposed pension reforms. We are more than a year past that consultation period and those pension reforms have not come forward. The only two changes this minister has come forward with are ones that put more dollars into the pockets of the corporate sector and take them out of the pockets of workers of this province.

When is this minister going to come clean with the workers of this province, come into the Legislature and say what he is going to do about pension reform, rather than hiding at the Hilton hotel, making his announcements on pension reform?

Interjections.

The Speaker: Order.

Hon Mr Elston: I was hiding at the Hilton hotel with Bob Nickerson and other members of the Canadian Auto Workers, people who are actuaries on behalf of the beneficiaries of many plans, and other people. Yes, there were people there from the business community, but let me be very clear that there was a broad representation of people with interests, people who advise trustees of pension plans, people who represent members in the pension plans, a whole group of people.

The announcements were designed to ensure that pension plans were funded adequately. In fact, part of the speech which the honourable gentleman refuses to acknowledge here indicates that where there is difficulty seen in funding levels with respect to pension plans, it will no longer be necessary for a three-year filing of information, but an annual filing of information about the stability of the pension plan will be required so that we can ensure that each individual beneficiary of the plan will know the status of his or her stake in the pension plan.

Interjections.

Hon Mr Elston: The people over there in the New Democratic Party, by their continual heckling and jeering and whatever, are trying to cover up the fact that they do not understand that this is a reasonable step forward to ensure that the long-term stability of the solvency of benefits—

Interjections.

The Speaker: Order. We will just let the clock tick away, if that is what you want.

Interjections.

The Speaker: Order. I think that is enough.

PLANT CLOSURES

Mr D. S. Cooke: I have a question for the government as well to do with protection of workers and the fact that the government has made commitments over the years and has not fulfilled them. I will direct this question to the Treasurer.

When I went to my home community last week, I went back to an announcement of another plant closure, Toledo Scale, and another major layoff at the General Motors trim plant of 255 jobs. That announcement means that in the last 11 months there have been 19 plant closures in the city of Windsor, affecting over 3,000 jobs. That would be equivalent to over 30,000 jobs in Metropolitan Toronto.

Many of those lost jobs and plant closures can be related to the free trade agreement which the government got a mandate to stop in 1987. We have free trade, thanks to this government and Mulroney. What adjustment programs is the Treasurer going to give to communities like Windsor that are going through major adjustments because of the free trade deal?

1430

Hon R. F. Nixon: The honourable member might also add to his list of information from his home town the decision made by Ford Motor Co to establish a new engine plant with about \$60 million of new investment. I would hasten to say that does not balance the situation, because many communities, including a city near where I live, Brantford, are experiencing something similar to what the honourable member has described.

I can only tell him that, as far as the office of economic policy in the Treasury is concerned, we are still looking forward to real economic growth of something less than 2%. Naturally, this is less than we have experienced over the last six years, when the average has been closer to 5%. I wish that could continue, but unfortunately it will not.

Mr D. S. Cooke: I do not need an explanation from the Treasurer of what he thinks the problems are. The fact of the matter is we have had 19 plant closures. We have a rising unemployment rate, but at the same time, most of the plant closures have given us advance notice. The government has advance notice to avoid an economic disaster in the community of Windsor.

I have specific proposals for a community adjustment program which would include such things as the re-establishment of an industrial labour adjustment program similar to the program that was put in place in the early 1980s, and the Treasurer is very aware of that program.

The Treasurer imposed a free trade agreement on us, and Windsor is experiencing the ramifications of that free trade agreement.

Interjections.

The Speaker: Order.

Mr D. S. Cooke: Is the Treasurer prepared or is he not prepared to bring in an adjustment program to avoid the kind of human tragedy that we experienced in the community of Windsor in the early 1980s?

Hon R. F. Nixon: For the honourable member to blame the free trade agreement on this government must mean that his political situation is even more tenuous than I had expected. I do not think there is any rationale or reason for such a charge.

The honourable member will know that unemployment went up last night by about 0.08% but that Ontario still has the lowest unemployment level of Canada and that our economy still continues to grow.

When it comes to adjustment requirements, as well as the federal programs of unemployment insurance, I am sure he is aware, since he has participated in these debates over a number of years, that we have some of the most effective legislation in North America, but we are still relying on economic growth to maintain employment.

Mr D. S. Cooke: I would certainly like to see the Treasurer come down to Windsor and flog that garbage to the people of my community.

I am quoting from a newspaper article dated 11 August 1987: "The Premier, campaigning for the 10 September provin-

cial election, said here in Windsor yesterday that Ontario will reject any agreement that guts the auto pact."

The Treasurer knows as well as I do that the free trade agreement moved from 60% Canadian content to 50% North American content. That has had dramatic effects on Windsor's economy, specifically the auto parts sector. Why is it good enough for the Premier to go into Windsor during a provincial election in 1987 and lie to the people of Windsor in order to get their votes and then do nothing to help them out in the economic struggles?

Hon R. F. Nixon: I had forgotten that election date was so long ago, but in that connection, I feel that the honourable member is not serving the cause of Windsor or his own career when he accuses the Premier to the people of Windsor, because that is not so. The honourable member should know from his own experience that comments like that are counterproductive, both for a sensible discussion of important issues and for a person's own political welfare.

Mr D. S. Cooke: The Premier came to Windsor and lied to the community of Windsor and the Treasurer knows it.

Hon Mr Scott: Oh, get off it.

Mr D. S. Cooke: That is exactly what he did in order to get votes, and four out of five seats is what he got.

Interjections.

The Speaker: Order. The member for Windsor-Riverside accused another member of uttering a deliberate falsehood. Would you withdraw?

Mr D. S. Cooke: No, Mr Speaker, I will not withdraw. When the Premier went to my community in the last election and lied—

The Speaker: Order.

Interjections.

The Speaker: It is just hard to believe. Was that a no?

Mr D. S. Cooke: That is right, Mr Speaker.

The Speaker: Order, please. I have no choice but to ask Mr Cooke to remove himself from the House for the balance of the sitting day.

Mr D. S. Cooke left the chamber.

The Speaker: We will recess for 10 minutes.

The House recessed at 1437.

1447

HOSPITAL BEDS

Mr Harris: I have a question for the Minister of Health concerning the gap between what this government promises and what it delivers. It has been four long years since this minister's government promised the people of this province 4,400 additional acute and chronic care hospital beds. In view of the critical shortage of hospital bed space in this province, how can the minister justify, over this four-year period, her government's failure to deliver on even one tenth of its promise and its commitment to the people of Ontario?

Hon Mrs Caplan: I am very pleased to answer the question from the leader of the third party. We made a commitment to meet the needs of the people of this province. We established the Premier's Council on Health Strategy, which pointed out to

us that Ontario has one of the highest rates of institutionalization in the western world and that there were many opportunities to provide services in alternative ways.

They recommended the development of a capital strategy—we have done that; it has four points, which I will be happy to go over in my supplementary—as well as a partnership planning approach. Through this new strategy, we are responding on a regional basis to live up to our capital commitments and ensure that we have a strong hospital sector as well as the ability to meet the needs appropriately, whether they are inpatient, outpatient or in the community, for the people of this province.

Mr Harris: The minister promised 4,400 beds, and she has responded with 10 things she did not promise in the way of studies, looking at, reviewing, sitting back and talking about for the last four years. That is not what she promised. She did not promise to look at or to study or to set up a council; she promised 4,400 beds.

This morning the Hospital Council of Metropolitan Toronto told us that at least 2,092 beds are closed in Metro Toronto today. How can the minister sit back and watch medical care being denied to seriously ill people on 2,092 beds when she has already fallen short of her 4,400? Two thousand of the existing beds are now shut down because she has failed to live up to her promise to make sure that we had an adequate supply of nurses to staff those existing beds, inadequate though that number is.

Hon Mrs Caplan: I will say to the leader of the third party that in fact he is so out of touch with health policy and an understanding of the opportunity to focus on services. By shifting from inpatient to outpatient services, we are able to provide alternative services—more services in alternative ways. We are doing that. Where inpatient services are required, we are doing that. Where outpatient and ambulatory services can provide the same or improved services, we are doing that. We are shifting to community-based and home support services in one of the most progressive health reform agendas in this country.

He simply does not understand that beds are no longer the benchmark but that what is important is to focus on people. We have followed the advice of the Premier's Council on Health Strategy and the experts who are telling us that we have the opportunity now to focus on services, and that is what we are doing.

Mr Harris: The minister has been busy these last few months and is busy again today making a whole bunch of new promises. I do not know how we can believe the new ones when we are still asking about the promises she has made in the past, both on 4,400 new beds which she promised and on the shortage of nurses. She promised she was going to solve this problem.

I do not know why it is that the minister is the only one in the province who seems unwilling to admit that without enough nurses to go around, the quality of the health care in this province is suffering. Toronto East General Hospital is going to close 28 beds at the beginning of July because of a nursing shortage. If the minister does not answer the 10 other things she is talking about promising, can she keep a straight face and simply answer the question, how can closing the few existing beds we have possibly improve health care at the Toronto East General Hospital?

Hon Mrs Caplan: Each year at this time we know that hospitals around the province close beds for a number of reasons, whether it is maintenance or staff vacation time. These are normal and regular; they have been for years. I would tell

the member that if he focuses on the experience of the hospitals of this province, he will find, for example, hospitals that have maintained and enhanced services by shifting to outpatient and ambulatory services as opposed to forcing people to have services on an inpatient basis when they can be provided in a better way on an outpatient basis.

I want to say to him that in fact the situation in Metropolitan Toronto with regard to nurses is unique in the province; the vacancy rates are higher within Metropolitan Toronto. I want him to know that, excluding Metropolitan Toronto, the provincial vacancy rate in nursing is now about 1.7%; it is higher in Metro and it varies from hospital to hospital. By shifting the focus, I want him to know as well, nurses like working in outpatient and ambulatory areas, and many hospitals are finding that is a very good way, because nurses can self-schedule and have a better quality of worklife in those environments.

Mr Harris: I wonder if the Minister of Health is suggesting that heart surgery take place in these outpatient—

The Speaker: Is that your question?

WATER QUALITY

Mr Harris: I have a question about health risks associated with swimming in Ontario waters. For five years this government has been promising to improve water quality in Ontario lakes. After five years of empty promises, the problem is not only still there, the problem is getting worse in beach after beach all across this province. This year, three Metro Toronto beaches have already been declared unfit for swimming because of faecal and bacterial pollution. My question for the minister is, how much longer is this government going to force people to be exposed to serious health risks before honouring its promise to clean up Ontario beaches?

Hon Mrs Caplan: In the absence of my colleague the Minister of the Environment, I want to say to the member opposite that the record of this government in enhancements in the Ministry of the Environment is spectacular. We have the most outstanding policies, programs and enhancements of budget. I am very proud of the job. To say that is sufficient is certainly—

Interjections.

Hon Mrs Caplan: The reason I am pointing this out is that when that party had the opportunity, it cut the budget of the Ministry of the Environment. Problems that have been experienced across this province are not new today, and there are no quick fixes; but we are approaching that in a very systematic way and the Ministry of Health is providing advice to the Ministry of the Environment from the public health aspect. There is much to be done, but the record of this government is clear, and we are moving forward to do what those guys never even started.

Mr Harris: The only thing spectacular in this government is the amount of promises it makes, which keep increasing, and its failures.

The minister talks about the amount of money spent, but the people of Ontario are interested in results. It really does not matter how much money the government spent if the problem is getting worse each and every day. What matters is that the Liberals campaigned in election after election and said: "Elect us and we'll clean up the beaches. Vote for us and we'll end the health risk in our lakes." That is what they said. Today the problem is still there. The problem is getting worse each and

every day. The government has not done what it promised and what it said it would do.

My question is simple. I assume the government had a plan or must have known the costs involved when it made these promises at election time. When is the Liberal government going to live up to the promise to clean up the beaches in this province?

Hon Mrs Caplan: The Treasurer has just informed me that the budget for the Ministry of the Environment last year alone went up some 21%. I will say to the member opposite that even the United Nations has acknowledged the leadership of our Ministry of the Environment in an award recently given. While there is much to be done, I would just say there is not a government that has the record of proactive legislation, policy and programs that this government has.

Mr Harris: I am astounded that minister after minister in this administration measures success in terms of how many civil servants they hire or how many dollars they spend. Budget up 21%; problem worse. We and the people measure success in terms of results and in terms of living up to promises.

The problem I am talking about is not unique to Metropolitan Toronto. Four beaches in North Bay have already been declared unfit for swimming at various times this spring. One beach on Lake Nipissing last year tested at 20 times the safe limit. The problem is spreading, the problem is festering, not because we do not know what to do but because the Liberals will not do it.

Surely this government knew the costs involved or had a plan when it made the promise that it would clean up the beaches. What is it? Is it a one-year plan? Is it a five-year plan? Is it a 10-year plan? How much money is it going to cost? Or do government members just travel the province making promises and have no plan at all? If it does—

The Speaker: Order. That is about four supplementaries.

Hon Mrs Caplan: I cannot stand here today and speak on behalf of the Minister of the Environment except to say that his job would be that much easier if that party had done something—anything—when it was in power.

Hon Mr Scott: And that is going to haunt them all through the next six months.

Mr Brandt: You dump on the beaches and you dump on the people of Ontario.

Mr Eves: How many beaches are closed today compared to 1980? Answer that question.

The Speaker: Order.

1500

ELECTION FINANCES

Mr Kormos: My question is to the Deputy Premier. Last week we learned that the Minister of Industry, Trade and Technology was ashamed of his expensive, foreign-built Mercedes-Benz, as well he should be, being the Minister of Industry, Trade and Technology. The minister drives a foreign-made car, and an expensive one to boot. So his campaign officials get charged under the provincial election spending law. The Premier does nothing. The Premier seems to be desensitized to the corruption that has permeated the Liberal Party in Ontario. Now we find out that the Liberal Party of Ontario itself, its former chief financial officer and a senior organizer of its 1987 election campaign have similarly been charged with corrupt election funding practices.

The question to the Deputy Premier is, in view of the level of corruption and the stench of corruption that comes and increases on a daily basis from this Liberal government and its caucus, what is this government going to do to investigate and root out the corruption that has clearly permeated it down to its very roots?

Hon R. F. Nixon: I think the matters the honourable member is referring to now resulted in charges. Some judge or some jury is going to deal with those things. The honourable member knows a good deal more about that than I do, thank God.

I would also say that the system, from my point of view, is working reasonably well. The honourable member recalls the history of the circumstances. The Commission on Election Finances, chaired by his former leader, a person in whom we all have a good deal of confidence, has taken these particular actions. I would not dare to pass a personal judgement on them; they are there to be reported and to be dealt with by the courts in the normal way.

Mr Kormos: These Liberals were overjoyed when the Supreme Court of Canada struck down their Starr inquiry. The same Liberals here refused to reinstate a properly formed inquiry which fitted within the guidelines.

The government prefers to cover up the impact and the involvement of Patti Starr with so many of its cabinet ministers past and present. It refuses to investigate the extent of the corrupt association between itself and Starr and others who are similarly involved.

Why will this government not investigate itself with a view to seeing how completely and thoroughly corrupted it has become, or has it merely become desensitized to corruption and is prepared to live with it?

Hon R. F. Nixon: Mr Speaker, perhaps I should ask you in advance if "claptrap" is an appropriate word to use in describing the honourable member's effusions. Until you let me know, I am going to use the word, because surely he is not adding anything to the reasonable and rational discussion of the matters we are referring to. If he feels somehow that he knows what pleases us and what does not please us, I would say that his sensitivity has become corroded by long hours of listening to his own voice.

The honourable member will be aware that the Attorney General himself assisted and established the terms of reference in the royal commission; these were objected to but they were supported by the Supreme Court of Ontario. We are very proud of these efforts. Whether we were pleased or not when the Supreme Court of Canada passed judgement on these matters is irrelevant. We obey the law, and I suggest the honourable member show a higher degree of respect for the same view.

Mr Kormos: I didn't take the money; you guys did.

An hon member: Make sure you file a tax return.

Mr Pouliot: The minister said to make sure you file a tax return.

Mr Kormos: How does he know I haven't?

The Speaker: Order. It is just hard to believe.

HIGHWAY SAFETY

Mr Cousens: My question is to the Minister of Transportation and it does concern highway safety, something that the minister mentioned twice in his news release today as being paramount.

Last Friday, after studying the whole problem of accidents for some 28 months, a jury came out with a review. They had been looking at a series of some 40 accidents that took place between Gananoque and Trenton; we are talking about some 64 people who were killed and 50 others who were injured on that very dangerous stretch of highway. The jury put forward a number of key recommendations including compulsory re-examination of drivers who acquire nine or more demerit points. I would like to ask the minister what he is prepared to do about that recommendation and the other 16 recommendations that were made by this jury.

Hon Mr Wrye: I am aware of the recommendations of the coroner's jury on the latest fatality in that area and, like the honourable member, we are all troubled by the number of fatalities we have had. I guess one of the troubling things about this is what came out, as the honourable member will know, at the coroner's inquest, that at least half of the fatalities occurred in good road and weather conditions and were single-fatality incidents attributable to driver error. That is a very troubling number because it causes us to try to begin to look at other factors.

I want to say I am very pleased that the coroner's jury, in making a very large series of recommendations, 16 in total, has given us a lot of options to look at. I can say to the honourable member, we are going to be examining the recommendations of the coroner's jury very carefully as soon as we get the full jury report.

Mr Sterling: There were 17 recommendations, and certainly the one I just mentioned is an important one. I guess the studying could go on and on. They have done some research for the ministry which hopefully the minister can take very seriously. They also identified the need for wider paved shoulders along Highway 401 and barriers to prevent head-on crashes in areas where the median is narrow. These two recommendations are very important.

Given the fact that the government is committed to increasing the size of trucks on the highway, I just have a sense that we really have to give this a much higher priority. The minister made some reaction to the London-Woodstock corridor, but there are just so many other areas that are dangerous when you look at the median problem.

In his press release today, the minister has said they are going to program 10 to 20 of these median safety barriers per year. That is very much a small number. Is that what the minister asked for? Is that what he got after he went for an awful lot more? How serious was he in fighting for more than just a few kilometres of barriers?

Hon Mr Wrye: I regret—and the honourable member will know—that the amount of money that is available in the budget is never unlimited. I do believe, though, that proposing to put in median barriers for up to 20 kilometres a year is a very substantial amount of mileage. I note that is a recommendation of the coroner's jury and that indeed it is already being acted on. As my good friend the Minister of Mines, the member for Quinte, reminds me, some work is planned or under way already between Belleville and Trenton.

I notice that the coroner's jury has also spoken about graduated drivers' licences, and the honourable member will know that we are doing some work in that regard.

As I said, I have the list of recommendations in front of me, including the mandatory retesting for nine points or more, and I think the coroner's jury has made an admirable effort at giving us a number of issues that we can take a very close look at.

1510

RETAIL SALES TAX

Mr Adams: My question is for the Minister of Revenue. I ask this question on behalf of vendors at farmers' markets around the province such as the one in Peterborough. As members know, these vendors work in a relatively unsophisticated environment. They do not have access to cash registers and things of that sort. Most of their items are non-taxable, but some items such as plants are and often they have to make the calculation of the tax in a very hurried environment with crowds of people around them.

My question to the minister on behalf of these people is, is there a practical means that farmers and other vendors can use to collect retail sales tax on taxable items such as plants? Can they, for instance, build the tax into the pricing of such items?

Hon Mr Mancini: The member asks a very important question for people who conduct their business in this type of farmers' market. The member should know that the vendors in a farmers' market can post a price list in a prominent place in or around their stalls that would show the selling price of the product before the tax, the tax and the selling price with the tax. Therefore, the total tax would be displayed and the total price would be displayed.

By posting this price list, the vendors would avoid doing the calculation, as the honourable member has suggested, in a very hurried way in an environment that may not be the most expeditious way of figuring out what the sales tax would be. In fact, this would enable the vendors to keep a good record of their sales and their sales of products which are taxable.

Mr Adams: One of the concerns my constituents have is the matter of unfair competition from those who simply get around this problem by not charging the tax. Can we ensure that unfair competition does not result from those who would undercut their competitors by simply not charging the sales tax? What sort of enforcement measures are there in place to prevent this sort of unfair competition?

Hon Mr Mancini: I am informed by my ministry officials that we do spot checks of these farmers' markets, and I would hasten to add that the penalties for tax avoidance can be severe in some cases. That in itself should be reason enough for complying with our tax laws. I would also add to the answer to my honourable friend that we do investigate individual complaints. If there are farmers with stalls in these farmers' markets who are witnessing a neighbouring business not conducting its business within the confines of the law, we do investigate individual complaints and would be happy to do so.

SEVERN RIVER DEVELOPMENT

Mr Pouliot: My question is to the Minister of Natural Resources and Minister of Energy. What steps is her government willing to take to recognize and respect through the referendum process a decision taken by the Severn River coalition, a group of first Canadians, a group of first people, who have voted under the democratic process to have their river declared a dam-free zone? Is her government willing to make a commitment to sit down at the table through the memorandum of agreement process and arrive at a solution so that a dam-free concept can be developed with our first Canadians?

Hon Mrs McLeod: I would indicate to the honourable member that although there was a preliminary inquiry from a potential developer of hydroelectric sites along the Severn

River, the ministry has not actually received any formal proposal for such a development. Consequently we have not been undertaking any formal response or any development of our consideration of the implications of such a proposal.

I understand that at the time the original inquiry was received, it was suggested to the potential developer that a meeting be held with people in the area who would be concerned, primarily members of native bands in the area. I think the native bands have expressed their concern quite clearly, and I would reiterate that at this point we have not had a formal proposal for development on the Severn.

Mr Pouliot: On the eve of self-government, I am asking that the minister take leadership on behalf of the 3,100 people who are affected on their own base, on their own land. She has not received it, but she is aware of what is going on. The people in the spirit of self-government—their understanding of the treaties signed in 1905 and 1929 differs in interpretation from the present government's—are asking that she set the tone for negotiations and that she say: "Yes, our first Canadians will have a say at the table. They will be treated as equal partners. For as long as the sun shines and the rivers flows they will have a say in governing their own affairs." That is all we are asking for. Will she or will she not make a commitment?

Hon Mrs McLeod: I think we are providing leadership through our government in discussions with the aboriginal peoples of Ontario, both in relationship to land claims—the Ministry of Natural Resources fully supports the minister responsible for native affairs in carrying out those land claim discussions and negotiations—and also clearly in discussions about self-governance. In addition to, as part of that, in supplement to, are those discussions the Ministry of Natural Resources is more than willing to enter into, discussions about co-management.

I would give an absolute assurance that in any discussions of any proposals for development we would certainly be consulting with concerned peoples of the area, including our native peoples, about any concerns they would have about the impact of development in environmental terms and also potential economic benefits that people of an area might achieve.

ONTARIO PROVINCIAL POLICE

Mr Villeneuve: My question is to the Solicitor General. Many Ontario municipalities do not have sufficient population to have their own police forces and therefore they have to depend on the Ontario Provincial Police. As he well knows, this has put a strain on the OPP. Over and above this, in the last five years there has been an increase of about 35% in the crime rate. Does he feel that the OPP has sufficient personnel and equipment at present, particularly in eastern Ontario, to meet the requirements and the demands of the public?

Hon Mr Offer: In response to the member's questions, I am quite confident about the capabilities of the OPP to provide that degree of policing which the people of Ontario not only need but deserve. I think we recognize it is an ongoing matter that constantly requires evaluation and assessment. Indeed, as I speak here, that type of evaluation and assessment is now being undertaken by the OPP across the province to see where it is that services can or should be enhanced.

That is a matter of ongoing consultation, not only with members of the OPP but with the community. It is a matter that I believe is absolutely necessary, not only for a time specific but rather on an ongoing basis, so that we can ensure that the people of this province, on a constant basis, receive that degree of

service that the OPP is so proud to have provided in the past and present.

Mr Villeneuve: We all agree the OPP has done an excellent job, but there is a peculiar situation occurring in parts of eastern Ontario in certain detachments where officers go to work and do not have a cruiser to go patrolling in. That creates a major problem. If an OPP officer does not have a cruiser, what does he or she do? Would the Solicitor General commit his ministry to at least provide enough vehicles so that the OPP officers on site have the vehicles to do their work in patrolling?

Hon Mr Offer: In response to the question, I think the member will be aware that it was just last September or October that this government committed to an increased complement of OPP officers, together with increased equipment in the form of vehicles that are best equipped to meet the needs of the OPP and to serve the people of the province.

Certainly my ministry is constantly assessing, in co-ordination and consultation with the commissioner of the OPP as well as the local community, the needs of the OPP to service all areas of the province. We will continue to do that. This government has shown in the past and will continue to show its commitment in the future to meet the needs of the OPP.

1520

HIGHWAY CONSTRUCTION

Mr Callahan: My question is to the Minister of Transportation. Highway 410 in my riding is moving along rather nicely, except that as you approach the entrance to Highway 401, about a mile away from the 401 it narrows down considerably and causes considerable backup and delay for people of my riding leaving and heading east into Toronto. It appears as though that narrowing down is caused by the blocking off of the bridge that will now give us westbound access to the 401. I would like to inquire of the minister when we could anticipate that situation will be alleviated to assist people in my riding getting on to the 401.

Hon Mr Wrye: I am pleased that the honourable member has raised this issue on the day when we tabled in the House the capital construction program. The honourable member and members in general would want to know that under the accelerated program for 410, we have let a total of 14 contracts and that the plan has been to have a six-lane roadway south of Highway 7 and a four-lane divided highway north from Highway 7 to Bovaird Drive.

The honourable member will want to know that there is a contract now under way for work on Courtney Park Road for a partial interchange there and for full interchanges between 410 and 401, which will allow full access to both the eastbound and westbound lanes of the 401. The good news that I want the honourable member to be able to take back to his riding is that work will be completed this fall.

Mr Callahan: I would also like to inquire of the minister whether or not there will be any linkage between Highways 410 and 403.

Hon Mr Wrye: Very briefly, the intention of the ministry right now is that as soon as the linkage I spoke of being completed this fall is done, we will put out a further contract for a north-south connection between Highways 410 and 403, and work on that will proceed immediately.

ONTARIO WASTE MANAGEMENT CORP

Mrs Grier: My question is for the Treasurer. It concerns the Ontario Waste Management Corp, which is currently undergoing a long, complicated and expensive environmental assessment hearing into its proposed industrial waste disposal facility in the Niagara Peninsula.

OWMC has always made it clear that the viability of its project depended on one of two conditions being met, either a change in the law to require generators of certain industrial wastes to use the OWMC facility or an ongoing operating subsidy that would enable OWMC to offer its services at a competitive price. The Minister of the Environment has consistently and quite properly rejected the course of requiring industries to use OWMC, preferring to encourage them to reduce and re-use their waste.

Can the Treasurer tell the House whether he has agreed to the other necessary condition of OWMC. Has he given them a commitment that they will receive the necessary operating subsidies?

Hon R. F. Nixon: I have not.

Mrs Grier: That is very interesting and quite disturbing. OWMC has spent a lot of money over a lot of years preparing for the environmental assessment hearing, and in a letter to the government last year it made it very plain, if I may quote:

"Absent a competitive tariff, OWMC's facilities will not be utilized, its advantages to the environment of Ontario cannot be demonstrated and its acceptance" by the Environmental Assessment Board "therefore is unlikely. OWMC, if it is to have its facilities approved, must be prepared to demonstrate that its pricing structure will be competitive. It needs a firm commitment which it can rely on in a hearing, supported by an appropriate witness, that the government will provide whatever funding is necessary to keep OWMC's treatment prices competitive."

In the light of the government's refusal to give that commitment to OWMC, how can the Treasurer justify the continuance of the hearing?

Hon R. F. Nixon: We have not refused to give the commitment, but we have not given it. It has not been put to me as Treasurer that this is a requirement.

However, the honourable member will know that this matter has been going on for a decade, that Dr Chant's leadership in this regard has meant there has been an exhaustive review of all possibilities and every conceivable alternative and that the hearing now is focused on one specific property. In the event the hearing might some time come to an end with a decision that might allow it to go forward, it seems to me that the government and the Treasurer of the day might very well give the matter the honourable member raises some additional consideration. She asked me if I had given that commitment and I say again that I have not.

WETLANDS MANAGEMENT

Mrs Marland: My question is to the Minister of Natural Resources. The minister knows that wetlands preservation is a pressing issue. Seventy-five per cent of Ontario's original wetlands south of the Canadian Shield have disappeared and in some parts of southern Ontario the loss is 90%. More than a year has passed since the deadline for public comment on the government's draft policy statement on wetlands planning. Can the minister tell us why she still has not produced a final wetlands policy?

Hon Mrs McLeod: As minister, I received the results of the public consultation late last fall. There was considerable support for the draft wetlands policy presented as a result of that consultation, but there were also some concerns raised about details of the wetlands policy statement as we had presented it.

We take that consultation process very seriously and we have been undertaking a review of those concerns since they were presented to us. We are now preparing a final draft policy but, because we are considering some further amendments to the policy, we are undertaking some further consultation with groups that had expressed concerns. We do anticipate that policy will be reaching its final stages in a very short period of time.

Mrs Marland: I know the minister is aware that Lockyer Brothers wants to expand its gravel pit next to a class 1 wetland on the Nottawasaga River. The draft wetlands policy statement says, "New land use permitted on or adjacent to a provincially significant wetland should be compatible with the wetland so that wetland values are maintained or improved."

We also understand that the minister's office now is going to issue the licence to Lockyer. It is impossible to believe that the gravel pit's noise, dust and traffic could maintain or improve the wetland which is a nesting area for blue herons. Why is the minister allowing this gravel pit expansion next to one of the province's most significant wetlands?

Hon Mrs McLeod: Specifically in relation to the proposal of Lockyer Brothers related to their excavation, the particular concern with the wetland, as I understand it, related to the older licensed site and has required us to look at amalgamating two licences that previously existed, so that we can attach some conditions to that operation and ensure that there is protection of the wetland which is on one border of the existing site.

One of the conditions under which we would reissue that licence is that there be a sediment pond constructed within two months to prevent sediment and surface water from entering the wetland area. That is a condition we would attach and we believe that would protect the wetland that is adjacent to the excavation site.

MENTAL HEALTH SERVICES

Mr D. R. Cooke: My question is to the Minister of Health. The minister will recall that she announced last September a \$5.6-million allocation for new community mental health projects in response to the Graham report. Waterloo region's share of that allocation was \$209,000. District health councils were asked to recommend worthy projects by December 1989.

I know that the Kitchener mental health care community was very excited by the prospect of this new money, and as such, a number of excellent proposals were submitted to the district health council for consideration. Three were chosen for recommendation to the minister in plenty of time to meet the deadline. It is now the middle of June and we are still waiting for a response from the minister. The need identified by the minister in her announcement last fall has not diminished; it may indeed have increased. At the very least, the service providers have been put on hold for more than six months anticipating an answer. This affects the whole planning process.

1530

The Speaker: And your question?

Mr D. R. Cooke: Can the minister explain why the district health council recommendations have not been responded to yet

and when she anticipates making these very important announcements?

Hon Mrs Caplan: I want to thank my colleague the member for Kitchener for his question and acknowledge his interest in this very important matter and also his commitment to the expansion of community mental health programs. He knows that the process was quite an important one. We established a province-wide strategy for the expansion of community mental health services. He is quite correct; the allocation was \$5.6 million and all DHCs and non-DHCs were asked to submit proposals, rank them, review them and then submit them.

For the very first time, all district health council proposals were reviewed by a committee consisting of a number of representatives from the community mental health branch and the health planning branch, as well as the Graham report implementation committee. The member will know that the Graham report for expansion of community mental health formed the blueprint for this important initiative.

I feel that Waterloo region district health council has done an excellent job in this important provincial community mental health initiative. I am pleased that they have responded so quickly to recommendations for both new and expanded community mental health programs in the Waterloo region. After a series of lengthy discussions, an announcement on this successful project is anticipated very shortly.

PETITION

STUDENT SEGREGATION

Mr McLean: I have a petition that reads as follows:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, do hereby totally oppose the decision by the Simcoe county school board to segregate students due to ethnic origin."

This petition has about 1,500 names. It was gathered by Dr Charron of Penetanguishene and he asked me to present it on his behalf.

REPORT BY COMMITTEE

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Pelissero from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 114, An Act to amend the Ontario Lottery Corporation Act.

Motion agreed to.

Bill ordered for third reading.

INTRODUCTION OF BILLS

ARBITRATION ACT, 1990 LOI DE 1990 SUR L'ARBITRAGE

Mr Scott moved first reading of Bill 226, An Act to revise the Arbitrations Act.

M. Scott propose la première lecture du projet de loi 226, Loi portant révision de la Loi sur l'arbitrage.

Motion agreed to.

La motion est adoptée.

CITY OF ETOBICOKE ACT, 1990

Mr Henderson moved first reading of Bill Pr83, An Act respecting the City of Etobicoke.

Motion agreed to.

CITY OF WINDSOR ACT, 1990

Mr M. C. Ray moved first reading of Bill Pr94, An Act respecting the city of Windsor.

Motion agreed to.

FLORAL EMBLEM AMENDMENT ACT, 1990

Mr Sterling moved first reading of Bill 227, An Act to amend the Floral Emblem Act.

Motion agreed to.

The Speaker: Does the member have a brief explanation?

Mr Sterling: Yes. It seems, as pointed out by Patrick Boyer, MP for Etobicoke-Lakeshore, that it has been a wives' tale that it is illegal to pick a white trillium here in Ontario. The white trillium was declared Ontario's official flower in 1937. It was a private member's bill by William Gardhouse, a Liberal, at that time.

I want to emphasize that the white trillium and the white trillium alone is identified—

The Speaker: Order. An explanation is fine, but we are not here to debate it.

CITY OF SCARBOROUGH ACT, 1990

Mr Faubert moved first reading of Bill Pr91, An Act respecting the City of Scarborough.

Motion agreed to.

ORDERS OF THE DAY

OCCUPATIONAL HEALTH AND SAFETY STATUTE LAW AMENDMENT ACT

Mr Phillips moved third reading of Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act.

The Speaker: Is it the pleasure of the House that the motion carry?

Some hon members: No.

1540

Mr Mackenzie: I want to point out what is probably obvious to most members of the House now, and that is that New Democrats will be voting against the Liberal changes to the Occupational Health and Safety Act. New Democrats are voting against the Liberal changes to the Occupational Health and Safety Act, Bill 208, because they simply do not give all workers all the rights they need to prevent accident, illness and death in the workplace in the province of Ontario.

We believe that all workers should have the individual right to refuse unsafe work, their representatives should have the right to shut down an unsafe area and all workers should be paid if they refuse unsafe work or their work area is shut down

for health and safety reasons. The Liberal changes do not meet these standards. The Liberals in this house voted against every New Democratic Party amendment that would give these rights to all workers in Ontario.

Under Bill 208 farm workers are excluded from all coverage, many public sector workers can only refuse unsafe work in very limited circumstances, worker representatives can only shut down an unsafe area in a workplace with management's consent or in the case of an employer with a terrible health and safety record and workers are not guaranteed payment under the law in the case of health and safety stoppages. Repetitive strain situations, a serious concern in many assembly lines and other workplaces in Ontario, are not adequately covered in this new bill.

A worker is killed almost every working day in Ontario and 500,000 workers are injured on the job in Ontario every year. Thousands more are suffering from industrial diseases which all too often do prove fatal.

Working people need and deserve better protection, but it is obvious that the Liberals have not delivered in terms of this particular piece of legislation. It is equally obvious from the process we went through and the letters we have been able to read into the record, from the Canadian Manufacturers' Association and others, that the Liberals listen to their friends in big business.

The result of that is that Bill 208 falls far short of the rights of working people in this province that New Democrats have fought for for a long time and, I might say, far short of the rights we thought maybe we had achieved in the bill that my colleague Elie Martel brought in, Bill 149, two or three years back.

We simply have not achieved that kind of protection for workers in the workplace in Ontario. For what gains there may be in Bill 208, as far as this party is concerned, it falls far short of the fight we have made for a better and safer workplace in Ontario. For this reason, our caucus will not be supporting the government Bill 208.

Mr Laughren: As someone who was involved with the committee process, I wanted to say a few words. First of all, I endorse totally what my colleague the member for Hamilton East said, and I would like to pay tribute to the work he did in extracting from the government some of the amendments that went partway to improving the bill. Without his insistence that these things happen and without the co-operation of the labour movement, I can assure members the bill would be even worse than it is now in its present form.

It bothered me a great deal that farm workers are not covered, for example. I do not know how government can justify not covering farm workers. I can understand some of the reasons that other things are left out in the bill—I may not agree with it, but at least I understand why—but when it comes to farm workers it is beyond my comprehension. If we look at the accident record on our farms in this province, it seems to me that there is a moral obligation on this government to include farm workers under this act, and I think it is fundamentally incorrect and wrong not to include farm workers under this bill. The day is going to come when the government will have to.

I do not have a legal mind, but I often wonder how it is, under our legal system and our Charter of Rights, that the government gets away with that, how it can justify excluding a group of people like farm workers, very vulnerable people. Farm labouring people tend not to be well educated. A lot of people are from—

Mr Miller: No, no, that's not true.

Mr Laughren: I can tell members that is statistically correct. If members do not believe me, they should go and check the statistics. Anyway, that is not the point.

Mr Miller: That is a point.

Mr Laughren: The point is that these people are vulnerable and they should be protected under this legislation. When the minister responds on this third reading debate, I hope that he will deal with that question because I think he has made a very serious error in not including farm workers. I can tell him, the last time I saw the statistics on farm workers, they were very, very serious. If we were talking about a group of workers who did not have accidents, then the government could say, "You know, it's not worth all the fuss of covering them." But in this case, that is not true. There is a serious problem of accidents and fatalities on our farms, and the minister should cover those people. I just do not know how he justifies not covering them.

The other point is that when the minister was moving towards coverage for public sector workers, I do not understand why he did not take the next step and provide them with more complete coverage. It seems to me that he has gone some way, in the example the minister used in his statement to the House when he was talking about amendments, in allowing an ambulance driver to refuse to drive an unsafe ambulance or a fire worker to go on an unsafe fire truck. He could have gone further in support of our public sector workers.

Also, on the whole question of paying people when an unsafe workplace is shut down, it seems to me that the logical extension of that is to allow those people to be paid so that there is no impediment to the shutting down if there is a safety problem. I think what he has done there is unfair.

I do not want to delay the bill, but I do wish, in those two particular cases especially, that the government had taken action that it obviously has not taken. I regret that very much. The evidence before the committee indicated that there is still a gap out there if we are going to make the internal responsibility system work. A lot of us—and by us, I mean in this party and the labour movement—have gone a long way to saying that working people should work with management to make health and safety on the job a responsibility internally. The alternative to that, it always seemed to us, was to have an army of inspectors, which none of us really wanted.

If you are going to do that, then you have got to have more trust in that system than there is now. I am sure that other members would agree that during the committee hearings there was a lot of evidence of a lack of trust. Some of the statements made by the construction industry, for example, concerning their attitude towards workers and their role in health and safety were truly appalling. I regretted that very much too. So we still have some way to go, if we are going to make the internal responsibility system work well, towards building up that trust.

But the government is not going to get that if it does not go further, when it brings in legislation, to recognize that working people are responsible and have more at stake than any other party in terms of improving working conditions. I do not expect the minister to make any changes now—we are past that stage of the bill—but perhaps it goes some way to explaining, after these remarks from myself and the member for Hamilton East, why we intend to vote against this bill on third reading.

Miss Martel: I will be very brief. There is only one particular comment that I want to make outside of agreeing with both my colleagues the members for Hamilton East and Nickel

Belt. Given the reasons that we are not supporting the bill, I agree with everything they have said. If we had done it, if it had been our party putting it together, it would have been a very different bill and had very much a different face.

What I do want to say at this point is to express my appreciation and my gratitude to the trade union movement in this province. I was never so impressed by their commitment to health and safety and to helping their brothers and sisters in the workplaces of this province as when I watched the trade union movement at the public hearings.

There were numerous examples brought forward by many representatives from many unions, from many workplaces, of people who would not have been hurt, would not have been killed in this province, had decent and adequate health and safety legislation been in place. Unfortunately, I think that we are still going to see those kinds of deaths because this bill does not go as far as we would have liked and put in place some of those protections we think are so vital.

I certainly think that had it not been for those people bringing those cases forward, we would not even have moved the small way that we did to make the bill a little bit better than it was before. I say again, it is not what we would have done, but it is a little bit better than what we started out with in October when we went through second reading and started into the public hearings.

1550

I say to a couple of people—I am going to name them, although I know I should not—to Paul Forder, to Linda Jolley, who was in the gallery just a moment ago, to Ross McClellan, who is in the gallery, and to Gord Wilson, that I was never so impressed as with the work that they put together to show all of us really what the problems are at first hand, witnesses bringing people who had been hurt from the workplaces to the public hearings to say why health and safety changes were so badly needed. I think it is to their credit that we moved a little bit. Certainly it will be with a lot of hard work on their part if this bill works; it will be because of them.

I hope that in three years' time, when we go through the review, some of the changes which we feel now are so badly needed will be recognized and that the Ministry of Labour at that time will make the changes we think should have been included now. Certainly I think that if this thing is going to work, if the agency is going to work, if we are going to train workers across the province, it is going to be very much because of the work that these people did and those other working people in this province who feel that people have a right to go to work every day and come home safely at night to their families.

On behalf of the New Democratic Party, I want to thank those people in the trade union movement for the fine performance and work that they provided around this issue.

Mr Riddell: I will be very brief. As a member of the committee that travelled the province, I would like to pay tribute to the member for Nickel Belt, who was the chairman of that committee.

I know the member was very supportive of the labour union representatives when they came into the meeting with all the sincerity that they did approach the meetings with and in their presentations. The chairman approached all our meetings with neutrality. He was completely unbiased, and I know many times he had to bite his tongue because he probably wanted to join in the debates that were taking place. I think we got through our

meetings extremely well, and much of the credit has to go to the member for Nickel Belt.

As the member for Nickel Belt indicated, we have a way to go yet, but I think if he was being completely honest, he, along with his colleagues, would say that we probably have the most progressive occupational health and safety legislation you will find in any jurisdiction in Canada and, perhaps for that matter, on the North American continent.

I think we have to have a look in due time, and probably the sooner the better, at including farm workers in occupational health and safety. I think likely we will, and the reason I do not think we have to this point in time is that we did not have a chance to have consultation with the farm industry prior to passing this bill into legislation. I think the step we have to take now is to go out into the farm community and get its input into how farm workers can be included in the occupational health and safety bill.

I well recall sitting on the occupational health and safety committee when the Conservatives were in power and the Minister of Agriculture and Food was Bill Newman. We had to admit that the farming industry is unique. It is different from any other industry. I well recall at that time that they were saying that some of the guidelines they were laying were that you could not drop a heavy object from one level to another, which really meant that a farm worker or a farmer could not go up into the haymow and drop a bale of hay from that level down to the bottom level, where he was going to feed the livestock.

This is where the farming industry is unique and is so different from many other industries, and the reason at that time that we did not feel we could include farmers and farm workers in the occupational health and safety bill. Granted, we did have farm safety associations, which I believe the farmers and the farm workers would say have been doing a reasonably good job. But now that many of our farms have become so commercialized—and I am thinking now, say, of some of our mushroom farms where they employ many, many people—I firmly believe that workers in these large commercial establishments should be included under the occupational health and safety bill.

I firmly believe that this government will be taking a careful look at this and I fully expect that whenever amendments are made to this bill, we will likely see in due time—as I say, probably the sooner the better—farm workers included in the occupational health and safety bill. If I were going to be here, I personally would be supporting that particular endeavour.

It has been a pleasure working on the committee. I think we have a good occupational health and safety legislation for the workers of this province, not that it cannot be made better. Again, it has been a pleasure working under the very capable chairmanship of the member for Nickel Belt.

Mrs Marland: I actually had not intended to speak at third reading, but since we are paying tribute to the Chairman of the committee and since, if the Chairman of the committee were to decide to retire, I would not have an opportunity to speak, I think that I too would like to take one or two moments to endorse the comments of the member for Huron, sitting in that committee and travelling to as many centres as we did with the kinds of receptions that we had at many of those locations.

We had a lot of demonstrations last year when our standing committee on resources development travelled on Bill 162, but we did not have anything like the receptions and demonstrations that welcomed us in many centres on Bill 208. I think that a great deal of credit for the fact that nothing got out of hand

during the process of those hearings goes solely and totally to the Chairman, the member for Nickel Belt.

As the member for Huron has said, it must have been difficult for him at times because of his own personal interest and his own personal commitment, but I have not seen, in the 16 years in politics, a Chairman who could so well control the delicate balance of fairness between offending those of us on the committee who either wanted to have more to say or more opportunities for questions and the experience of those people who came very impassioned with their causes as deputations.

I feel that that credit and recognition should be expressed and I am happy to express it on behalf of our Progressive Conservative caucus to the member for Nickel Belt, because without that kind of leadership, I think there were times when that committee perhaps could have gotten out of hand and any number of people could have been upset and offended. It is a job well done.

1600

Hon Mr Phillips: I am pleased to bring my comments to the third reading. I think the first thing I would like to do is to remind ourselves of the importance of what we are doing, and the member for Hamilton East in his opening remarks did that.

There are indeed 400,000 accidents each year in Ontario workplaces. Indeed there are 300 people who die as a result of either an accident or occupational disease. I guess in economic terms as well seven million person-days are lost each year to accidents. Of course, there is the whole human tragedy involved with each of those accidents. I think it is constantly important that we remind ourselves of the importance of the occupational health and safety bill.

The second thing I would like to say is that this is my first opportunity to work with a significant piece of legislation. I personally found the process well served by the standing committee on resources development. I would echo what the member for Huron and the member for Mississauga South said, and that is that we were fortunate to have a Chair, in the member for Nickel Belt, who really did a first-class job of chairing what was a very difficult committee.

In addition, I might say that I think all the members on that committee served with the best of intentions. I think we will see in the bill that there were meaningful amendments that have come about as a direct result of those committee hearings, amendments proposed, I might say, by members from all three parties. I believe the bill is substantially better for having gone through the resources development committee process, having had the input of people from right across the province. In the end I think the people of Ontario are much better served because of that process and because of the amendments in the bill.

I would just like to remind ourselves of some of the important aspects of the bill. For me at least, perhaps the most important aspect is the agency itself. I think it was the member for Nickel Belt who said that what is very important in health and safety is trust by both workplace parties. I happen to believe the agency we are establishing here, which is a bipartite agency, will be a model over the haul of how the two workplace parties can work together. I believe it is central to the bill, I believe it will work and I believe we will look back and use this model in other areas of the workplace.

In addition, as you are aware, Mr Speaker, the safety associations—and we have nine safety associations—will be required to have their directors made up of 50% from the employer side and 50% from the employee side. So the nine

safety associations that will come under the agency will also be bipartite.

We have seen that something that works well in the workplace is what is called the internal responsibility system, for those members who know, and this bill will result in an additional 30,000 joint health and safety committees in the workplace. Currently we estimate we have 20,000. We will move to 50,000.

On the construction sites we see one of the highest accident rates, as all members know. Currently I believe in the province we have four or five joint health and safety committees and this bill will result, we believe, in 5,000 joint health and safety committees.

In terms of accelerating this partnership development that the member for Nickel Belt talked about, we think the combination of the establishment of the agency, the bipartite nature of the safety associations and the establishment of 30,000 additional joint health and safety committees, in particular on the construction sites—as I said, we will move to 5,000 joint health and safety committees.

The second principle in the bill is to substantially upgrade education and training. Again, I think if members look at what works in the workplace, it is people in the workplace being knowledgeable about health and safety issues. That is why members have heard the term “certification” throughout the bill. That is why for each of those health and safety committees we will require a certified worker representative and a certified management representative, “certified” meaning that they are trained and knowledgeable in health and safety. They will have to meet standards that will be established by that agency.

The third principle of the bill is what we would call rights and responsibilities. In terms of some of those things, the agency, as I said before, will set the standards for certification and will ensure that we have established standards that certified worker and certified management representatives must meet.

We are going to give rights to the joint health and safety committees to ensure that they have the right, indeed the duty, to inspect the workplace, that they have the right to insist that management respond to recommendations that they develop and respond to them in a timely manner. Again, this was one of the amendments that came out of the hearings.

In terms of the right to refuse, which is also something that came out of the hearings, we have expanded the right to refuse to ensure that if some other worker is asked to step in for an individual who has refused to do a job, the individual who is asked to step in be informed of the reasons for the refusal and be informed in the presence of another worker representative.

The public sector right to refuse was another thing that came out of our hearings. We have now in the bill a right for individuals to refuse to do unnecessarily dangerous work. We believe it continues to provide the public with what they would perceive as assurance, and what is assurance, that police and fire and correctional officers will indeed fulfil their fundamental responsibilities, but they should not be placed in unnecessary danger. The right to refuse we think is structured in the bill that provides that balance.

In terms of holding the employer accountable, you will see in the bill, Mr Speaker, a substantial increase in fines. Currently the maximum is \$25,000. The maximum under the bill will be \$500,000, and we think that we have responsibly, but none the less effectively, improved the employer accountability.

Another important aspect of the bill is the establishment of the adjudicator. It has been our experience that some people feel that the appeal mechanisms for some of our inspectors' orders

were not perhaps as independent as people would like, so we are establishing the adjudicator.

The adjudicator will have responsibilities for reviewing appeals to our inspectors' orders, but also importantly, for dealing with the certification issues and for ensuring, as one of the members said earlier, for those employers that are not practising good health and safety that there will be the opportunity in those workplaces for the worker certified rep to stop production.

The three-year review has been mentioned by other members and is another important element of the bill. The two perhaps most, shall I say, contentious issues in the bill are, first, the agency—as you will recall, Mr Speaker, we have a non-voting neutral chair. I think some feel that the agency might function better without even a non-voting neutral chair, but we have committed ourselves three years after the bill is proclaimed to review the agency. The second important element is in the area of the right to refuse. We obviously think that we have the most effective bill possible, but we are committed to reviewing that.

The member for Nickel Belt mentioned farm workers, and I believe, perhaps in the committee-of-the-whole debate, we talked about that. The bill, as it was originally designed, as I think members realize, was not designed to broaden the scope for farm workers. We have, however, a committee report that is coming forward in July, I believe. As the member for Huron said, all of us recognize that farm work is dangerous work and there should be opportunities to improve health and safety on the farm. We look forward to a public debate of that report some time in the next few months.

If I might summarize on Bill 208, it has been, for me at least, a process that I have come to respect very much. I believe that the committee process was one that worked well. It gave people right across this province an opportunity to express their views on health and safety. I think we had an exceptional amount of participation in the whole area because it is important to people. We have a stronger bill now than we had going into that committee hearing.

1610

In spite of the concerns that people might have on all sides of this bill, I think the fact of the matter is an analysis of it will indeed show what the member for Huron said, which is that it is the most progressive health and safety legislation we will find in North America. Now our goal, assuming the bill were to pass, is to make it work and to indeed see the results of it, which, after all, are designed to improve and correct those things I mentioned at the outset of my remarks, and those are the accidents and tragedies in the workplace as a result of injury or occupational disease.

I am very pleased to move third reading of Bill 208 and look forward to working with all of us as we make this bill in fact work in the workplace.

1617

The House divided on third reading of Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act, which was agreed to on the following vote:

Ayes—70

Adams, Ballinger, Black, Bossy, Brown, Callahan, Campbell, Caplan, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Daigeler, Eakins, Elliot, Elston, Epp, Eves, Faubert, Fawcett, Ferraro, Fleet, Fulton, Furlong, Grandmaître,

Haggerty, Hart, Henderson, Johnson, J. M., Kanter, Kerrio, Kozyra, Lupusella, Mahoney, Matrondola, McCague, McClelland, Miller, Neumann, Nicholas, Nixon, J. B., Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Phillips, G., Pollock, Polsinelli, Poole, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Ruprecht, Scott, Smith, D. W., Smith, E. J., South, Sterling, Stoner, Sweeney, Tatham, Villeneuve, Wrye.

Nays—17

Allen, Bryden, Charlton, Farnan, Grier, Johnston, R. F., Laughren, Mackenzie, Marland, Martel, Morin-Strom, Philip, E., Rae, B., Reville, Runciman, Wildman, Wiseman.

OTTAWA ARTS CENTRE FOUNDATION ACT, 1990

Mr Grandmaître moved second reading of Bill Pr41, An Act respecting Ottawa Arts Centre Foundation.

Mr Grandmaître: Bill Pr41 is a very simple bill. The Ottawa Arts Centre Foundation has been in business for a good number of years and is doing a good thing for the community arts people. They are asking this House to agree upon this bill to give them an opportunity to use some of their municipal and school taxes to do other arts things with them instead of paying municipal taxes. That is the bill.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF OTTAWA ACT, 1990

Mr Chiarelli moved second reading of Bill Pr60, An Act respecting the City of Ottawa.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF SIMCOE ACT, 1990

Mr Miller moved second reading of Bill Pr66, An Act respecting the Town of Simcoe.

Motion agreed to.

Third reading also agreed to on motion.

AXA HOME INSURANCE COMPANY ACT, 1990

Ms Poole moved second reading of Bill Pr69, An Act respecting AXA Home Insurance Company.

Motion agreed to.

Third reading also agreed to on motion.

ONTARIO KOREAN BUSINESSMEN'S ASSOCIATION ACT, 1990

Mr Ruprecht moved second reading of Bill Pr73, An Act to revive Ontario Korean Businessmen's Association.

Motion agreed to.

Third reading also agreed to on motion.

TOWNSHIP OF GUILFORD ACT, 1990

Mr Eakins moved second reading of Bill Pr79, An Act respecting the Township of Guilford.

Motion agreed to.

Third reading also agreed to on motion.

COUNTY OF SIMCOE ACT, 1990

Mr Ballinger, in the absence of Mr Sweeney, moved second reading of Bill 177, An Act respecting the Amalgamation of certain Municipalities in the County of Simcoe.

Mr Ballinger: I am presenting for second reading today the County of Simcoe Act, 1990. This legislation restructures eight local municipalities in the south part of Simcoe county into three larger municipalities. The restructuring will enable the new municipalities to respond to and manage the rapid growth being experienced in that area.

The first part of the legislation enacts amalgamations that bring about the new municipal units. The township of Innisfil and the village of Cookstown will amalgamate to become the town of Innisfil. The town of Bradford and the township of West Gwillimbury will amalgamate to become the town of Bradford West Gwillimbury. The town of Alliston, the township of Tecumseth and the villages of Beeton and Tottenham will amalgamate to form the town of the amalgamated municipalities of Alliston, Beeton, Tecumseth and Tottenham.

1630

The first part of the legislation also provides for an effective date of amalgamation, 1 January 1991, composition of municipal councils following the 1991 municipal elections—mayor, county councillor and seven additional members—a vehicle for local determination of ward systems, transfer of assets and liabilities to new units without compensation, and security of employment for employees of existing municipalities and local boards.

The second part of the legislation establishes the representation of each municipality on county council. The mayor and county councillor of each town will sit on county council.

Part III establishes utility commissions for each town, membership on the commissions and authorizes Ontario Hydro to continue serving the areas that it presently serves: the townships of Innisfil, Tecumseth and West Gwillimbury. Each town is required to pass a bylaw setting out areas to be served beyond those currently served by municipal commissions and includes provisions for future expansion.

Part IV establishes police service arrangements for the new municipalities. They will have the option to contract for Ontario Provincial Police service in areas currently serviced by the OPP: Tecumseth, Cookstown, Beeton, Tottenham and West Gwillimbury. Similar to the Hydro service area expansion approach, this option will enable the towns to expand incrementally their local forces to meet the policing needs of their areas.

Part V of the legislation dissolves existing library boards and establishes new ones for each new municipality.

Part VI deals with municipal finance provisions. It provides for an equitable apportionment of tax levies, given that properties are not currently assessed on the same basis across the eight municipalities in south Simcoe. There are also provisions enabling the municipalities to phase in tax impacts if the municipalities wish to do this. This section also enables the municipalities to define special service areas. Only those areas which benefit from a defined special service will contribute municipal taxes towards service-related costs.

Part VI also enables the Minister of Municipal Affairs to provide special assistance to offset amalgamation-related financial impacts.

Part VII of the legislation includes a number of general implementation provisions. These items include a dispute resolution mechanism for asset and liability transfers and highway-related provisions for urban rebates and connecting link agreements.

Part VIII sets out a number of traditional provisions dealing with the period from the effective date of the amalgamations, 1 January 1991, and the 1991 municipal elections. During this time period, municipal councils will comprise all council members of the former municipalities. Existing representation on county council will remain unchanged. There will be interim compositions of hydroelectric commissions, boards of commissioners of police and public library boards.

It is important to note that this legislation was prepared with the advice and the assistance of locally elected and staff representatives of the municipalities that are affected by it.

Mr McCague: My thanks to the parliamentary assistant for his opening statement and for his co-operation on items that may have to be changed in this bill during committee of the whole.

This bill affects an area in which I have lived all my life and which I understand very well. The purpose of the bill is said to be because there were five annexation proposals in the amalgamated area and a couple in the other areas which the honourable member for Simcoe Centre represents.

I have somehow a suspicion that there is another hidden agenda here, not just the fact that I trust the Minister of Municipal Affairs.

Interjections.

Mr McCague: The honourable member for Durham-York might find it more advantageous if he did not interject from time to time, because I will be responding to those interjections if you allow me, Mr Speaker.

However, there may well be another agenda, and one of the agendas, of course, I think is that there is a great demand for development in the area. It is an area within easy reach of Metropolitan Toronto, where housing is cheaper and where land, of course, is cheaper. It is a good place for people to bring up their families. Also, I have done a little study on industrial development in the area. I note that the Honda manufacturing plant is in this area and that any place Honda has decided to locate has grown substantially in a fairly short time period.

The ministry had to consider the five annexation applications that existed. I am sure there was some commitment by the government, maybe the previous as well as the present, to provide infrastructure—sewers, water, even housing—for the development that may result because of the presence of a car manufacturer. The councils got themselves into a position of disagreeing on a few items and the minister took the bull by the horns and said, "We think there should be three municipalities made of this area instead of four."

When the councils of the municipalities were at an impasse, they did urge the minister to proceed with whatever it was he thought was best for the area. I am sure the minister or his staff would be the first to agree that the elected officials as well as the appointed officials of the eight municipalities have cooperated to the utmost possible to proceed with this legislation even though there are differences of opinion on some aspects of it.

It is important, I think, that this legislation proceed so that the municipalities know where they are going. The member for Durham-York does not know and I do not know when the next election is going to be, but should an election intervene be-

tween now and the end of the year, the municipalities would certainly be in limbo. If we can pass this legislation this afternoon or get it to third reading this afternoon, I think it will serve the municipalities well.

It is too strong to say that this legislation was imposed upon the municipalities, but in order to accomplish what the government thought was proper for the area, there really was not much choice but to have some sort of an amalgamation and some sort of larger municipalities with, as the member for Oxford did, sort of a one-man tear around the country along with a few of his Liberal colleagues a few months ago, and then have the ministry staff write a report for him.

Mr Speaker, you will recall that at the time I raised the issue of whether or not that committee should have been an all-party committee of this Legislature. That question is not very hard to answer. It should have been. The member for Durham-York today is getting co-operation from all sides of this House because the ministry people, the local politicians, elected people, made us all part of the system. I think the member for Oxford will be the first one to admit, maybe not right here but I sure could persuade him to do it outside this House, that an all-party committee is much better than nine of his colleagues who, I mentioned at the time, were getting nothing more than a geography lesson of the province.

However, I am sure the parliamentary assistant will want to assure me today that along with this amalgamation, along with the people of the area going along with the wishes of the government of the day—the government is using a good deal of foresight in this, I would be the first to admit—that if this is to pass, there is quite a large commitment on behalf of the provincial government being made today, I suggest to members, that is assistance above and beyond when it comes to infrastructure. The people of the area just cannot afford to bank all the development that the government foresees for the area. I hope that the parliamentary assistant is prepared to commit the government to a high level of infrastructure assistance to the people of the new area.

1640

The member for Simcoe Centre will be speaking about the municipalities he represents. The area I represent will be known very simply as the amalgamated area of Alliston, Beeton, Tottenham and Tecumseth. That is a fairly simple name, is it not? It looks good on a letterhead. However, according to the bill, there will be a selection of name which I understand will be on the ballot come next election—Avalon or some name like that.

A couple of things have been pointed out by various municipalities. I might just say that it is unfortunate that the municipalities received these bills yesterday and there has not been a lot of time for them to peruse them. However, in section 6 of the bill there is reference to bylaws and resolutions of former municipalities. In subsection 6(1), in particular, it has been pointed out that to rescind the bylaws and re-register them is very time- and money-consuming. It might be said that the bylaws should be deemed to be bylaws of the new municipality. Having said that, I have not run into anybody yet who knows what it is that is better than this is. It does not seem there is any particular way around it, and I am sure the ministry could explain to us what the problems are in that particular respect.

The amalgamated municipality in particular has brought to the minister's attention early today problems that there are in subsection 18(4) about the public utilities commission with the election, wards and so forth. The ministry has worked hard to

come up with an amendment for that section, which I appreciate, and from an initial look seems fine.

Tecumseth township, which is losing some land to the township of West Gwillimbury, is disappointed that there was not some kind of compensation. While the parliamentary assistant's remarks at the beginning would indicate there may be some way of working out some kind of assistance, it was my understanding that there was going to be none, that when the boundaries were changed that was a fait accompli. The parliamentary assistant may wish to comment on that.

Section 24 of the bill talks about the hydroelectric power and each town's municipality having to pass a bylaw before 31 December 1991. All the municipalities would have liked to have seen that section changed so that the effective date would be 31 December 1992. I am persuaded by the Minister of Energy and by Mr Taylor of the Ministry of Municipal Affairs that there is some problem with changing that date. However, in the goodness of their hearts, they may choose to voluntarily change it before the day is out.

There has been raised, I believe by each of the municipalities within the area that this bill affects, a request that the enactment of the Development Charges Act, 1989, be delayed a couple of years. I notice that this is not part of the bill. I can understand the difficulty that the ministry would have with putting that request in this bill; the problem would be the difficulty they might have with all of the municipalities in the province.

I am proud of the people in this part of the province who, having seen a need for something probably after some persuasion by the ministry people, were able to get together and work to bring about this legislation, which I hope and trust will serve the people of that area well for years and years to come. I hope too that the honourable member for Durham-York will ensure that the chequebook accompanies the passing of the bill.

Mr Owen: As has been referred to by the member for Simcoe West, my riding of Simcoe Centre is also involved in this bill. The township of Innisfil will be amalgamated with the village of Cookstown, forming the new town of Innisfil. The township of West Gwillimbury will be amalgamated with the town of Bradford, involving a name which is not yet resolved in its final form.

I would like to stress first of all that while there was considerable disagreement prior to the final decision being made on these amalgamations, there has been nothing but a willingness to co-operate and to succeed in what is going to take place by all of the parties involved.

I can recall the morning that the minister made the announcement to the players involved. As the various representatives of these municipalities sat around a table and had explained to them what the final outcome was going to be, to a man and to a woman they all indicated that the decision had been made and all of them were of one mind, to make it work and succeed in the best interests of the people involved, and that has happened.

I would also like to commend the member for Simcoe West, in that in every way his approach has set an example for all of the other parties involved. He has simply been trying to do what is in the best interests of the people whom he has represented. I would concur with the member for Simcoe West that everything be done to expedite the third reading of this particular bill.

I would also like to point out that the politicians at the local level represent various political stripes and, notwithstanding that, all of them have co-operated and participated, having forgotten those particular political colours. They have realized that

the people would be best served if they simply got on with the job and did it well. So they have so-called buried their political differences and proceeded with the implementation of the tasks before them.

The townships of West Gwillimbury and Tecumseth were up until now divided by Highway 27. We have seen that this was not a workable boundary or solution. For example, Bond Head was growing equally in both directions, into both townships, and yet it was lacking the opportunity of a cohesive development, so somewhere a change in that boundary had to take place.

1650

Tecumseth was hoping that Highway 400 could be made the boundary, but again we would have been facing the same difficulty we were facing with Highway 27. I hope and trust that they will look back and realize that there was really nowhere else to go but to move it to the west of Highway 27. In this way the new municipality of Bradford West Gwillimbury will be able to look to the growth opportunities that can be presented by the commercial and industrial expansion along Highway 400.

In the areas of Bradford and West Gwillimbury I have been told that the commuting adult population probably runs as high as 90%. That is not the best for the people who live there in terms of developing a sense of community and trying to get the congestion off of the traffic that is now heading into the greater Toronto area. I am committed, as is this government, to doing everything in my power once all of this is resolved to work towards creating opportunities for industry, commerce and jobs in these particular communities. I think that is the direction to go and what we are addressing by way of this bill is a step on the way.

My friend the member for Simcoe West will no doubt remember when Cookstown was not a separate, independent municipality, when in fact it consisted of four corners involving four different townships: Innisfil, West Gwillimbury, Tecumseth and Essa. They were having a difficulty with regard to fully developing their sense of community. Now that they are becoming one with the township of Innisfil, I think we will see a resolving of some of the difficulties they have experienced in their growth.

With regard to the boundary between Innisfil and West Gwillimbury townships, again, looking back, there really was nowhere else to go other than to locate that boundary south and parallel to Highway 89. Once Cookstown indicated that its future rested with the township of Innisfil, we had to co-ordinate and synchronize the southerly boundary of Cookstown and extend it across the boundary between the townships of West Gwillimbury and Innisfil. Again, there will be disruptions. Again, there is a lot involved, some of it complicated and complex. But because of the outlook and approach of the parties involved, I know it will eventually meet with success and the best interests of all the people served.

I would like to thank everyone involved. I would like to thank the co-operation of the ministry. I would like to thank the co-operation of the other member of this Legislature, who has been involved in this on a day-to-day basis. Above all, I would like to thank and commend the participants at all the municipal levels for their co-operation and their clear support for doing what is in the best interests of the people they are serving.

Mr Charlton: I will be very brief in my comments. I will start out by saying that we will be supporting Bill 177. I thought I would make a few comments about items which I just hap-

pened to notice in going through the bill this morning after having been asked to have a look at the bill on behalf of our caucus.

First of all I should say to the member for Simcoe West, who said in his remarks to the bill that this is the area where he has spent all his life, that as we see the amalgamation set out in this bill, presumably in preparation for the development that the member mentioned and that the government foresees moving out into the Simcoe county area, he should be vigilant and work carefully with all the local officials so that he does not find himself in the position some others of us have found ourselves in in the past of looking at development that has occurred around us much too quickly and without enough thought, saying to ourselves, "I wish we had taken the time to approach this question of development a little more carefully and thoughtfully."

It is just a caution to those from the Simcoe county area that there is not necessarily anything wrong with development, but development in and of itself is not necessarily good either. They should be careful and thoughtful about how they approach that.

I raise that because in a very quick run through this piece of legislation and in some quick discussions with some local officials—I will not name a particular local official—we picked up some quotes like this one: "It's been debated around the block and back again. An agreement has been reached, so pass it ASAP." I understand that. The local officials have been through fairly lengthy discussions, as has been set out by the parliamentary assistant and both the previous speakers. But sometimes we get just a little too hungry for change, growth and development, not having had it in the past and not fully understanding the consequences, headaches and problems that can come with it.

I just happened to notice when I was going through part VI of the piece of legislation—unfortunately I am not familiar with the assessment bases in each of the municipalities that are being amalgamated here—that in section 38 there is a potential headache for both local officials and local residents. Unfortunately, I cannot define the extent to which that may be a headache, but what section 38 does is legislate what local councils have had the choice to make on their own in other areas of the province where section 63 reassessments have been done.

So the councils, as a result of this amalgamation, are going to lose a local choice which in other areas of the province they as councils would have had solely unto themselves, as a result of section 38 of this piece of legislation. It may not be a problem. The assessment bases in each of these smaller towns that are being amalgamated into larger towns may in fact be close enough not to create a problem, but it is something that locally it might be smart to look into as a potential consequence of passing this legislation.

Whenever you get into the kinds of changes and amalgamations that are set out in Bill 177, the potentials are not only complicated in some cases, but unforeseen in others. Although we will be supporting Bill 177, I just encourage those from the Simcoe county area, once this legislation is passed, to proceed carefully and not to get overrun with consequences of development that none of us ever expect until after they have happened.

Before we get development we only see the potential benefits of a greater assessment base for the local council, more jobs to keep people in the area and with that more housing, more families, more schools. As the member for Simcoe West said in his opening remarks, Simcoe county and the soon-to-be-amalgamated municipalities we are dealing with in this piece of legislation just will not have the wherewithal on their own to

deal with the infrastructure demands development will bring with it, at least in the initial stages.

1700

The Deputy Speaker: Are there questions and comments on the member's statement? If not, do other members wish to participate in the debate? If not, would the parliamentary assistant wish to wind up?

Mr Ballinger: I will, as well, keep my comments very brief. I want to echo the comments of the member for Simcoe Centre as they relate to the member for Simcoe West. It is always interesting when you are dealing with communities and you have two members from different parties. This is a classic example whereby both members, one on the government side and one on the opposition side, came to the table with the municipalities they represent in the interests of the citizens. I just want to pass that comment on to the member for Simcoe West. It would have been very easy for him to have seized an opportunity to beat the government up and forget what his role is here. He did not do that and we on our side congratulate him.

I know the member for Simcoe West was concerned about one part of section 6 as it related to the bylaws. I would just like to pass this comment on, that the intent of section 6 is to standardize, as anyone can imagine when you are amalgamating several communities together, all the different bylaws and different rules and regulations, and what the ministry is doing here is allowing those municipalities up until 1994 to standardize their bylaws. So in fact after 1994 they have to, if you will, sing out of the same hymn book.

I know that the member for Simcoe West was, as well, concerned about the finances as they relate to the cost of doing those things and the ministry recognizes that. If we could sum up the process that was involved here, I think we could sum it up by saying co-operation, co-operation obviously from the sitting members, as I mentioned, and co-operation between the ministry staff and the municipal staff of all the various municipalities that are affected by this bill.

On page 26, I would like to point out to the member for Simcoe West, section 41 says, "The minister may by order before 1 January 2000, on such conditions as the minister considers appropriate, make grants or loans to the town municipalities, the former municipalities and the county to achieve the purposes of this act."

Now I know that the member for Simcoe West might say: "It is all well and good for the parliamentary assistant of the minister to say that. All it is is words in the act." I would like to remind the member for Simcoe West that we recently did a similar process with the county of Lambton and the city of Sarnia. I think that if any support came out of that particular proposed amalgamation, it was that both parties, both the county and the city, felt and believed they were well served by my ministry and the minister I represent. We had a lot of good comments come back that the ministry did in fact recognize that there were some transitional costs that related to that proposed amalgamation.

I want to assure the member for Simcoe West, as I stand here on behalf of the Minister of Municipal Affairs, that the staff of the ministry will take all of those considerations very seriously and I am sure will come to the table and make sure those municipalities that have supported this proposed amalgamation will be served by our ministry.

Motion agreed to.

House in committee of the whole.

COUNTY OF SIMCOE ACT, 1990

Consideration of Bill 177, An Act respecting the Amalgamation of certain Municipalities in the County of Simcoe.

The Chair: I have in front of me two proposed government amendments, one to section 18 and one to clause 18(4)(b). Do other members have any amendments they would like to bring forward at this moment?

Mr McCague: I presume that the parliamentary assistant is going to bring forth an amendment as discussed previously. If that is the case, there is none from me.

The Chair: Are the two proposed amendments that you are bringing forward giving consideration to what the member for Simcoe West is talking about?

Mr Ballinger: Yes.

Mr Kerrio: You got it, George.

Mr McLean: George drafted that legislation.

Mr McCague: No, I did not. Legal minds in the back row did it.

The Chair: Before we get to that, shall sections 1 to 17 carry?

Some hon members: Carried.

The Chair: I presume you will want to deal with clause 18(4)(b) first.

Mr McCague: I am sorry. I did not hear what you said. Would you repeat what you said?

The Chair: I was told by the parliamentary assistant that your concern was being addressed by one of these two proposed amendments. The parliamentary assistant answered yes, that your concern—

Mr McCague: Did I hear you pass all sections up to 18?

The Chair: That is right, sections 1 to 17.

Mr McCague: I objected. I could not hear you and you could not hear me.

The Chair: Pardon me. No, I did not hear you. You voted, I presume, not to carry sections 1 to 17. Is that correct?

Mr McCague: That is right.

The Chair: All those in favour will please say "aye." All those opposed will please say "nay."

Mr McCague: I think that there was nothing said for a long time as you looked over the bill. There were a few things that I raised in my opening comments on which I would just like to get a word at least from the minister. They did apply to certain sections. I think you moved rather quickly.

The Chair: Did you want to make some remarks? Is that what I am trying to get from you? If you want to make some remarks, do you want to make them on section 1?

Mr McCague: In the first instance, I raised a question regarding section 6, and the easy answer that was given to me by the parliamentary assistant was this was all to standardize the bylaws.

The Chair: Could I ask you, how many sections would you like to address? Which one of the sections would you like to address? Usually at the beginning what I do is list to which sections the members would like to make comments, ask ques-

tions, bring modifications and whatever. Would you have such a list to help me serve you better?

Mr Charlton: Section 6.

The Chair: There is at least section 6.

Mr McCague: Let's say the first one, which is the name of the bill.

The Chair: That is at the end.

Mr McCague: Sections 1, 6 and 24. That will do.

The Chair: Fair enough. If you want to talk on section 1, let's address section 1 right now and only section 1. Go ahead.

Section 1:

Mr McCague: That covers almost everything. I raised with the parliamentary assistant the issue of the Development Charges Act, which is not included in this bill. He did not comment on that.

The second question I would like to raise with him, just for my own clarification, is Tecumseth was wondering, or at least was concerned, whichever you choose to use, about the fact that there was no accounting of assets and liabilities with regard to the area that is going from Tecumseth into West Gwillimbury. I might be wrong in what I took from what I was told on that. Maybe the parliamentary assistant could straighten me out.

1710

Mr Ballinger: Can I move down to the front, please, Mr Chairman?

The Chair: Please go ahead.

Mr Ballinger: May I bring the staff in to assist the member for Simcoe West and myself?

The Chair: Yes.

Mr Ballinger: I apologize, but I just had a chance to get together with the staff here to respond. We wanted to make sure that we respond to the member for Simcoe West.

My understanding, in discussing it with the staff, is that in all the discussions that took place between the amalgamation committee and our staff people of the ministry it was not a point of discussion at all. In fact, why the bill is silent is because there was no discussion or any concern expressed by those parties to the ministry staff.

Mr McCague: The information the parliamentary assistant is giving is no doubt correct. There are several municipalities around the province that are petitioning the ministry to delay the implementation of the Development Charges Act. That petition was endorsed by most if not all of the municipalities within the area we are referring to in this bill. It would have been an opportunity for the government, when we have legislation in front of us, to agree with the municipalities that said we should delay that for a couple of years. It is absent from here and I am sure that the staff are well aware of what the municipalities are trying to convey. I am not critical of the fact that it is not in this bill, but it is an opportunity to put it in, and we have that opportunity right now to put it in if the government would like to do that.

Mr Ballinger: I would love to accommodate the member for Simcoe West, but the problem that I find myself in, on behalf of my minister, is that there was not a request by the municipalities to do that. If I did not sort of reiterate anything in my closing comments, the point here is that this has been a really co-operative effort on behalf of all of the affected

municipalities and the ministry. My understanding is that there is sort of a commonality here as far as they are concerned. Because that was not expressed, I see no reason at this time why we should consider making that an amendment to the bill.

Mr McCague: That is not one of the parliamentary assistant's better explanations. If the glad hand is out today, why do we not keep it going.

Mr Ballinger: My mother thought I was pretty good.

Mr McCague: Yes, your mother would. My mother will be listening today too.

I think the staff will admit to him that the resolution to which I am referring has been circulated to the ministry by many, many municipalities. In talking to the ministry about four weeks ago, about mid-May, to see what might be done about this motion about delaying development charges, I feel certain that we got this information from the Ministry of Municipal Affairs, in which it was said that the only opportunity to deal with this as far as the town of Alliston was concerned would have been through this bill. It is just not shown in the bill, and I can only presume that the government does not want to do it at this late date, or in fact at any other date. All the parliamentary assistant has to tell me is that the government does not want to do it.

Mr Ballinger: With the greatest respect to the member for Simcoe West, we do not want to do it.

Mr McCague: Just one other comment, Mr Chairman: That is probably the most honest, best answer that has been given in this House in the year 1990.

Section 1 agreed to.

The Chair: The member for Simcoe West wants some discussion on section 6. Before he proceeds, shall sections 2 to 5, inclusive, carry?

Sections 2 to 5, inclusive, agreed to.

Section 6:

Mr McCague: Section 6, I am told, is a very expensive section.

Hon Mr Sorbara: What would he know about Simcoe county?

Mr McCague: A lot more than the member knows about York. On section 6, especially the first part, the parliamentary assistant gave the answer that the reason for this is to standardize. I suggested to him that this was a very expensive section, but that in fairness there probably was not a better way to write it. All I do is raise it for him because it was raised for me by a constituent municipality.

Mr Ballinger: We appreciate the comments of the member for Simcoe West. As members can well imagine, when you are amalgamating the number of local municipalities that it is being proposed to amalgamate within this bill, there are literally thousands and thousands of bylaws. The whole purpose of this section of the bill, as I said previously, is to standardize. I know that the member for Simcoe West is concerned about the related finances. Just think of the work that has to be done. Somebody is going to have to put together all of these different bylaws to have some reasonable standards, so that if you are one municipality—

Mr Haggerty: A lawyers' field day.

Mr Ballinger: Lawyers or consultants. Many times, through amalgamation, municipalities will use a special consultant who will come in and take that heavy workload away from the staff to bring back recommendations that relate to standardized bylaws.

I just want to reiterate that our ministry co-operated tremendously with the county of Lambton and the city of Sarnia in that particular bill, that newly amalgamated county. I want to suggest to the member for Simcoe West—I would tell him to trust us because we are the government, but I know that would not buy me very much time with him. But history, in the past couple of years, has proven that our ministry is co-operating with those amalgamated municipalities because it recognizes the financial needs of especially the smaller municipalities when it relates to standardizing bylaws. I cannot give the member a dollar figure; all I can tell him is that we have been recently co-operating with those municipalities.

Mr McCague: I am quite happy to get a comment of moderation out of the parliamentary assistant. That will serve well. The Hansard gets recorded, and if any problems come up, those words will be repeated to him time and time again. I thank him very much for them.

Mr Chairman, it might be slightly out of a particular section, but if you just allow me a couple more comments: In regard to the Tecumseth-West Gwillimbury change of properties, the moving of the line and the opportunity for rationalizing assets and liabilities, is that settled now or is there an opportunity to settle that yet?

1720

Mr Ballinger: I apologize to the member for Simcoe West. Geographically he knows the area much better than I do and the boundaries that were moved. I am advised by the staff, and they are both on the hook if the information I am about to give the member for Simcoe West is not correct, that his point is well taken.

There will be an opportunity when the new county study is done for those boundaries—again, there could be some additional shifting that would allow that particular area to grow in assessment growth that would help offset whatever may have been lost from this particular amalgamation.

Mr McCague: The member just reminded me of something I almost forgot.

Mr Ballinger: I am sorry about that.

Mr McCague: When the minister was making the announcements regarding this new area, he laid particular emphasis on the fact that one thing that was not accomplished through this exercise was including in this amalgamated area the area in the vicinity of Alliston, which was really the area which Alliston serves. Does he have the same commitment as the minister had to addressing that problem through the study of the rest of Simcoe county?

Mr Ballinger: I guess I am in an awkward position, being the parliamentary assistant. I am not the minister and I certainly cannot speak for him. If that is the commitment the minister gave, then I would like to reiterate to the member for Simcoe West, if my minister, the Minister of Municipal Affairs, gave that commitment, then that commitment still stands.

Mr McCague: I presume it would stand if at the time that happens the parliamentary assistant happens to be the minister.

Mr Ballinger: I thank the member very much for the promotion. I will gladly take it. The answer to the question is yes.

Mr McCague: Just a couple more. The honourable member, in answer to the question I raised about money, read me a fancy section—I do not need to use the number, Mr Speaker, because you will say I am jumping ahead if I do—which says the minister may give money. Can the parliamentary assistant tell me whether our chances are any better with this section written in the bill, or if it were not in the bill, of getting money?

Mr Ballinger: The member for Simcoe West is really trying to get a commitment out of me. I am just the assistant. I cannot give a financial commitment and he knows that full well. I would just like to reiterate the comment that I think the reputation of my minister speaks for itself.

The past experience of the ministry in working with tough amalgamations, where we understand the emotional trauma that takes place when you are amalgamating smaller municipalities—the track record of the ministry is yes, in fact we have come to the table financially, and the member can rest assured that we will continue to do so.

Mr McCague: All I want to point out to the parliamentary assistant is that what he said does not satisfy the member for Simcoe Centre or myself. When I said we needed money, he very proudly read out a section that says that the minister may by order before 1 January 2000 on such conditions as he, and so and so forth, give us the money.

I understand that, but what I am telling the parliamentary assistant is he may give us some tomorrow if he wants and he does not need this bill passed or anything else. But we are going to need money and considerable sums of it. He felt that was a sop to me. I am telling him it is nonsense to have that section as his word to say that we are going to get some money. I want to know that we are going to get the money. It says “may”; if it said “will,” it would be great.

Mr Ballinger: I am surprised at the member for Simcoe West, who was a member of the cabinet for a number of years. Very seldom are pieces of legislation written with “will”; mostly they say “may.” They are at the will of the minister at the time.

Quite honestly, in this particular case that is written in that bill because, as the member knows full well, governments change from time to time and ministers change. That commitment by our ministry is there, that whoever is interpreting that bill in the future will realize that there was a 10-year commitment by the ministry to recognize that, in those affected municipalities that were amalgamated, there may be some undue costs.

Two, three, four or five years from now, whoever is here cannot say to those affected municipalities: “There was no commitment by us. We did not know anything about it.” It is specifically written in the bill for that reason, but the minister of the day will make the decision regarding the amount of money and where it is distributed.

Mr McCague: The honourable member might be getting a little excited so I guess we could proceed to the next area where I—

The Chair: The member for Simcoe West, are you finished with section 6?

Mr McCague: Certainly.

Section 6 agreed to.

The Chair: Your next topic is section 24. Is that not correct? Before we proceed, we have government amendments to section 18.

Sections 7 to 17, inclusive, agreed to.

Section 18:

The Chair: Mr Ballinger moves that clause 18(4)(b) of the bill be amended by striking out "general vote of the electors in the areas served by the commission" in the third and fourth lines and substituting "wards."

Do you have an opening statement, parliamentary assistant?

Mr Ballinger: I was going to say it is a minor and simple amendment, but I am not going to do that because of the frame of mind the member for Simcoe West is in. I would just like to point out that there was some concern about this amendment in which the member for Simcoe West participated on behalf of the municipalities that he represents.

There was some genuine concern that without a ward system, in the one newly proposed amalgamated area that the member for Simcoe West represents, quite innocently all of the members of the PUC could come out of one of the larger populated areas. So the purpose of the wards system is to protect that whole new geographic area regardless of the population size. There will be a geographically defined area that a representative could come from. Quite frankly, that will more effectively give better representation for the new municipality.

Motion agreed to.

The Chair: Mr Ballinger moves that section 18 of the bill be amended by adding the following subsections:

"(4a) For the purpose of clause (4)(b), the minister may, by order,

"(a) establish the number of wards, the boundaries of the wards, the number of members of the commission, up to a maximum of two members, to be elected from each ward, and;

"(b) provide additional qualifications for the members of the commission to be elected from each ward.

"(4b) An order under subsection (4a) may provide for a different number of members to be elected from different wards.

"(4c) An order under subsection (4a) shall come into effect on 1 December 1991, but the regular election held in 1991 shall be conducted as if the order was in effect.

"(4d) Section 5, except subsection (5), applies with necessary modifications to the matters set out in clause (4a)(a).

"(4e) The minister, after an order has been issued by the municipal board under subsection (4d), may, by order, provide additional qualifications for the members of the commission to be elected from each ward."

1730

Mr Ballinger: I think this particular amendment is quite self-explanatory.

Mr McCague: The parliamentary assistant might tell me what happens. There were two issues, the wards system, which is addressed here, and the other one, which may well be addressed here. As I understand it, the new amalgamated town will have five wards, and there are three public utilities commissions: Alliston, Tottenham and Beeton. It is going to be necessary for those three wards that encompass those municipalities to be the designated wards for voting, but the urban section may be only a very small part of the total ward. In

other words, you have an area represented by Ontario Hydro and one by the local PUC, as it was known.

Through these amendments, can one of the qualifications for voting be that you are a user of the present public utilities commission system versus Ontario Hydro, which handles the rural area?

Mr Ballinger: Yes. I am advised by the staff that that is the intent of the proposed amendment.

Mr McCague: Does the parliamentary assistant have any particular comment he could make at this time as to whether it would be wise to have a section which allowed for a vote only by the public utilities users within a ward?

Mr Ballinger: To the member for Simcoe West, bearing with me on this, I just knew that I was not going to be able to get this particular amendment through quite as quickly as I had hoped. I am advised by the staff that the purpose of this, especially when they are starting out with a certain number of wards and, as the member knows, things happen—population and size as well as the qualifications may change, and consequently the size and the makeup of those wards may change as well in the future.

Mr McCague: I guess I am not going to get an answer to my question. This is what the parliamentary assistant gets paid for. So what?

Mr Ballinger: This is why they brought me today. I was nice to the member all day.

Mr McCague: The parliamentary assistant cannot buy me.

If there was a ward made up of an area that was served by the Alliston public utilities commission and an equal-sized area which was represented by Ontario Hydro, does the parliamentary assistant then feel it is necessary to have everybody within the ward vote on the public utilities commission, or can it be split so that just those who are users of the former Alliston PUC services would get a vote?

Mr Ballinger: I want to advise the member for Simcoe West that the purpose of the amendment, of course, is that this is what they requested, and the ministry has responded by proposing the exact amendment that they requested, which recognizes exactly that.

Mr McCague: I think that means yes, the ministry is satisfied that those customers who are now being served by a public utilities commission other than Ontario Hydro could be the only ones to vote on a power commission. I think that is what it means.

Mr Ballinger: With the greatest respect, if it would help the member for Simcoe West to hear it from me so that it is recorded in Hansard, the answer is yes.

Mr McCague: I thank the parliamentary assistant.

The Chair: Any other comments? Any other questions? Are we ready for the vote?

Motion agreed to.

Section 18, as amended, agreed to.

Sections 19 to 23, inclusive, agreed to.

Section 24:

Mr McCague: Probably the parliamentary assistant would be good enough to tell me why the date could not be changed in subsection 24(2) to read 1992.

Mr Ballinger: I am advised, and I had the opportunity earlier to speak to the member for Simcoe West about this, originally the Ministry of Energy wanted 31 December 1990, and the committee had sort of made a counterproposal of 1992. In discussion, as always in any negotiations, there was a sawoff or a tradeoff which brought it around to 31 December 1991.

I am advised by the staff that the Ministry of Energy could see no reason why all of that could not be done by 1991. It was certainly a year longer, or six or seven months longer, than they had originally anticipated.

Mr McCague: Just a short one. There is a reason why and it is something to do with some studies. If the parliamentary assistant would just find out what those studies are and put them on the record, I would appreciate it.

Mr Ballinger: I guess I could respond from personal experience—I used to be chairman of the Uxbridge Hydro Electric Commission for a number of years. Because of regional government, we had an urbanized, local PUC but serviced in the rural area by Newmarket, which was the Newmarket office of Ontario Hydro.

We had undergone several studies to ascertain Ontario Hydro's assets and all of the write-downs, and the capital equipment was there. This is precisely what has transpired here. It is the same sort of study. From now until that date, they will be able to bring forth some finalized figures, costs, so that in fact the members of the urbanized area, the serviced PUC area, will have some fiscal idea of what the cost would be to expand into the rural areas.

Mr McCague: I probably will not get another chance to thank the parliamentary assistant for his forthright answers. As far as I am concerned, he can zip right through the rest of the bill.

Mr Ballinger: I would not mind closing by thanking the member for Simcoe West, but I was assured by both him and the member for Simcoe Centre that they really did want very fast passage of this bill.

Section 24 agreed to.

Sections 25 to 57, inclusive, agreed to.

Schedule agreed to.

Bill, as amended, ordered to be reported.

On motion by Mr Ballinger, the committee of the whole reported one bill with certain amendments.

1740

ENVIRONMENTAL PROTECTION STATUTE LAW AMENDMENT ACT, 1990

Mr Adams moved, on behalf of Mr Bradley, second reading of Bill 220, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act.

Mr Adams: Today, I am pleased to introduce for second reading Bill 220, which provides amendments that improve and strengthen the Environmental Protection Act and the Ontario Water Resources Act in three ways: They allow a swifter, more effective way of dealing with environmental emergency situations that require immediate environmental abatement; they allow effective abatement and cleanup measures to pre-empt potential environmental emergencies, and they allow better approaches to cleanup, cost recovery and convicting and penalizing pollution offenders.

Our amendments complement a bill being introduced by the Solicitor General to strengthen the emergency provisions under the Ontario fire code. Under the revised legislation, the Ministry of the Environment can impose conditions in an approval or order which take effect immediately, even if the subject of the order decides to appeal.

The ministry could also apply and enforce orders against any prior owners of a property who may ultimately be accountable for an environmental hazard. In addition, the new order powers also allow the ministry to specify that the government will take charge of certain activities in response to an emergency to ensure that the best expertise and skills are applied to the problem.

The automatic stay provided for under the existing appeals mechanism will now be eliminated. If any persons do not wish to take action because of an appeal, they must apply to the appeal board for permission to stay action pending the appeal. This stay cannot be granted if any health or safety danger might result from delay. Even when a stay is granted, the ministry will have the authority to proceed with appropriate action and expect to recover costs.

The amendments allow the ministry to carry out any necessary work and then charge the costs back to the person or person in default of an order. This cost recovery can be made either by means of court judgement or through the land tax system against the property itself. In this way costs can be collected like property taxes and the ministry has a priority claim against property value. Certificates prohibiting dealing with specific real estate without notice can be registered on title for the protection of potential purchasers.

To minimize a dispute in an environmental emergency, we have reworded the legislation to remove any doubt of the ministry's power to enter property to meet the demands of the emergency.

The revisions will also extend limitation periods. It now becomes explicit that the ministry may lay charges within two years of an offence occurring or within two years of the date the ministry first became aware of the offence.

The ministry can and intends to prosecute polluters who attempt to conceal their pollution by, for example, burying drums of hazardous waste.

Under these amendments maximum penalties are doubled in several areas. A corporation previously subject to penalties up to \$100,000 for a first offence and \$200,000 for subsequent offences involving damage to the environment will now face maximum penalties of \$200,000 and \$400,000 respectively.

In cases involving liquid industrial or hazardous wastes where damage occurs, the maximum penalties for individuals rises from \$25,000 for a first offence and \$50,000 for subsequent offences to \$50,000 and \$100,000. The maximum corporate penalties for first and subsequent convictions also rise from \$500,000 and \$1 million to the new range of \$1 million and \$2 million.

We expect these amendments to benefit the environment and the people of Ontario in three ways. They will provide for swift and effective response to existing and potential environmental emergencies, with a minimum of delay. They will ensure that the polluter pays the costs resulting from pollution, rather than the taxpayer. Third, they will provide stronger ground for prosecuting polluting offenses, especially surreptitious ones, and they provide stiffer penalties for polluters.

The Deputy Speaker: Are there any questions and comments on the parliamentary assistant's statement?

Mrs Grier: I have a question that I think would be helpful, if the parliamentary assistant might explain. At the time when these amendments were introduced, I am sure all members will remember the somewhat crisis situation after the Hagersville tire fire and the very strong commitment from the Ministry of the Environment and the Solicitor General that they would introduce the amendments, some of which we are addressing today, but also the amendments that the parliamentary assistant has mentioned that the Solicitor General was going to introduce to the fire code. I am wondering if perhaps we could hear from the representative of the government when we might expect to see tabled and have an opportunity to debate the companion legislation to this, the amendments to the fire code.

Mrs Marland: Just to enforce the same question from our party, we have a very real concern about the fact that the government is not bringing forth the Fire Marshals Act amendments at the same time it is introducing this bill. It just does not seem to make sense not to make the complete adjustments that it has already acknowledged are necessary, so we certainly share the same question of the parliamentary assistant.

Mr Adams: I am interested in the question posed by the member for Etobicoke-Lakeshore and the member for Mississauga South. I regret to say I am the parliamentary assistant to the Minister of the Environment rather than the parliamentary assistant to the Solicitor General and I cannot at this time give a response to their question.

If I might, while I have the floor, add something to my remarks there. As members know, the Council of Ministers of the Environment, that is to say, the provincial and federal ministers of the environment, have developed a protocol to deal with the so-called orphan sites across the country. This is to deal with, as I understand it, the cleanup of certain sites under a joint provincial-federal cost-sharing arrangement. One of the advantages, we believe, of the legislation which is before us is that the amendments enhance the province's ability to deal with these so-called orphan sites under the federal-provincial cost-sharing arrangements.

I have relatively little more to say, although I have my eye on the clock, but I might add that we do expect that the Solicitor General will be introducing his legislation in the relatively near future.

1750

Mrs Grier: I welcome the information that the Solicitor General will be introducing his amendments in the relatively near future. I would merely point out to the member for Peterborough that the near future is very limited if we are in fact to have the amendments that were considered so essential in March in place before this place rises on 28 June.

However, I argued in March that the amendments that are before us today were not particularly necessary; the amendments to the Environmental Protection Act that the minister said would have prevented the Hagersville fire were not required for the Minister of the Environment to have prevented the fire that took place and the tragedy, in terms of the environment and the lives of the people of Hagersville, which occurred as a result of that fire.

I suspect it would be uncharitable of me, given the fact that the Minister of the Environment is indisposed, to reflect on his actions at that time, but I have to say that I think the speed with which he announced the introduction of amendments to the Environmental Protection Act was in large part an excuse to somehow hide his failure to act under the existing Environmen-

tal Protection Act in order to take strong action against the owner of the Hagersville tire dump.

Our reasons for believing that the minister already had the power to act under the Environmental Protection Act were clearly enunciated in the emergency debate that took place on a motion of mine declaring non-confidence in the government. That debate occurred on 21 March of this year. Had the minister been on top of the situation, had he used the existing legislation to its fullest, he would have been in a position to lift the stay on the control order that was used by the owner of the tire dump as an excuse not to get on with the cleanup. Let there be no doubt about that. It was this government's failure to use the existing mechanisms that led to that dump, not any failure on the part of the Environmental Protection Act.

In fact, one of the excuses the Minister of the Environment gave in the days following the Hagersville tire fire, one of the excuses for his lack of action, was really quite a shocking excuse. He pointed out to us, to the leader of my party and myself, that we had never raised the question of tire dumps in the House, seeming to imply that the fact we had not raised the issue somehow let him off the hook for not acting strongly to prevent the fire or to ensure the cleanup of the dump.

I want to remind the parliamentary assistant today that since that time we have certainly raised on a number of occasions the issues to which he is today responding. In fact, I put a private member's bill before the House on 22 March that reversed the onus for the staying of control orders, which is part of the amendments that are before us today. The member for Hamilton West raised questions in the House as to when we might expect to be dealing with the amendments that are before us today and particularly when we might expect to see the amendments from the Solicitor General, because he has a very real concern that the Musitano dump adjacent to his riding could cause us the same problems as did the Hagersville one.

Having raised the issues on numerous occasions, we are glad today to have an opportunity to participate in a debate about the specific amendments that the government has seen fit to introduce and that were introduced three months after the fire, on 13 June. Of course, we have no hesitation in supporting the bill that is before us today and, I hope, supporting the amendments to the fire code when they come in.

We welcome the fact that the Ministry of the Environment has used the opportunity not only to close what it felt were loopholes or elements in the Environmental Protection Act, that prevented it from acting as swiftly and as strongly as it alleges it would have liked to have acted, but also to expand and clarify the conditions under which it may step in, the conditions under which a control order can in fact be stayed, the conditions under which the ministry can move in and do the work and give itself the right of entry and increase the level of fines.

We welcome and will support all of those aspects of the bill that is before us today. Particularly, I am glad the ministry has moved to reverse the onus on the staying of a control order. I think it is entirely appropriate that the onus is now put on the applicant to justify why in fact operation of the control order ought to be stayed. I hope this will effectively prevent somebody on whom a control order is issued from using the legal process to stall action under that control order. I hope the ministry in its turn will be vigilant in making sure that the order given is carried out as expeditiously as possible.

I welcome the fact that the ministry can move in and do the work that is required even if there is a staying of the control order, and can submit an itemized bill which can then be put on the municipal taxes or enforced in the civil courts. This is en-

tirely appropriate, in our opinion, and is long overdue. I am glad we are going to have a clarification of the conditions under which this action may be taken, because it is important that there be no doubt in anybody's mind that if a control order from the Ministry of the Environment is not obeyed, very swift and very strong action will be taken to make sure that it is obeyed.

The powers of entry that the government is giving itself through this bill are very broad. I confess to being somewhat surprised that the government was prepared to ask for such broad powers of entry. I know that many municipalities have addressed that issue in their attempts to enforce zoning provisions under the Planning Act or even property standards elements. My own municipality, Etobicoke, has raised that with the Minister of Municipal Affairs on a number of occasions. Let me perhaps serve notice that the very broad powers of entry being given to this ministry, which are justified in an effort to protect the environment, may well be used as a model for other pieces of legislation that would give other elements the right to have similar powers of entry.

We also will support the increase in fines and penalties. In the happy days of minority government, I was able to have an amendment accepted by the Minister of the Environment to set that \$1-million limit for deliberate pollution, and I am glad now to see that the ministry is moving legislation that would increase that even further. I look forward to another minority government in the not-too-distant future when perhaps my amendments will again be accepted and we can increase the minimum fines, an element that I see is unaddressed by the legislation that is before us today.

I find it interesting that some of the initiatives being taken by the ministry under the heading of this bill, in the need to fight the tire fire, are actions that I think deserve to have been taken in their own right and did not need to wait for the excuse provided by the tire fire to be put in place.

The element of the sale of contaminated land and providing that notice be given to a prospective purchaser is something that has been of particular interest to me because of the loss of industry in my own riding of Etobicoke-Lakeshore. We have seen a number of occasions where industrial sites that were known to be contaminated are not required to be decommissioned in an environmentally sensitive way. This ministry only has guidelines to the decommissioning of industrial sites and

has no provision generally, up to now, where a prospective purchaser had to be warned about contaminated land.

I suspect the ministry does not have an inventory of contaminated sites when industries do close down. It would be very nice to see that in place and to see some stricter rules with respect to decommissioning. In fact, I would like to see, as there is in some other jurisdictions, a law on decommissioning as opposed to the guidelines, and I regard the elements in this bill that go in a minuscule way in that direction as a positive step.

The cleanup fund is another item which has been of concern with us and which we have raised on many occasions. The government's response has hitherto been totally inadequate. So I am pleased they are using this legislation as a way of clarifying that this government is eligible for the federal funds under the proposal by the Canadian Council of Resource and Environment Ministers.

Another interesting element in the bill is the section in the amendment to the Ontario Water Resources Act that will make it correspond to the proposals under the Environmental Protection Act and will give the ministry the power to step in, should a utility or an industry not be living up to a control order with respect to discharges to the waterways. I suspect it was the intent of the ministry that this would be applied against industries such as pulp and paper mills, but I find it interesting it is giving itself this power at the same time as the Treasurer is suggesting that we ought to have a public utility to build sewage treatment plants and water control systems in the province, an element that we in this party will be opposing when it comes about.

I find it interesting that the Ministry of the Environment, perhaps in anticipation of that, is giving itself the power to step in should a privately run sewage treatment plant not be run in accordance with the provisions of the Environmental Protection Act. I find it interesting, and worrisome, if the ministry has contemplated that privately run utilities would not be run in an environmentally safe manner.

I have a couple of more points I would like to make, but I see the clock is running down.

On motion by Mrs Grier, the debate was adjourned.

The House adjourned at 1801.

ALPHABETICAL LIST OF MEMBERS
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexender, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Clerk: Smirle Forsyth

CONTENTS

Tuesday 19 June 1990

Members' statements

Landlords' restrictions on pets	1841
Ms Bryden	
Burlington Sound of Music Festival	1841
Mr Jackson	
Japan	1841
Mr Tatham	
Workers' compensation	1841
Mr Laughren	
Children's mental health services	1842
Mr Brandt	
Skills development	1842
Mrs Fawcett	
Tire dump	1842
Mr Allen	
Legislative interns	1842
Mr Eves	
Fred Sheridan	1842
Mr Campbell	

Statements by the ministry

Highway construction	1844
Mr Wrye	
Arbitration	1845
Mr Scott	

Responses

Arbitration	1845
Mr Kormos	
Mr Sterling	
Highway construction	1846
Mr Wiseman	
Mr Cousens	

Oral questions

Pension reform	1846
Mr Morin-Strom	
Mr Elston	
Plant closures	1847
Mr D. S. Cooke	
Mr R. F. Nixon	
Hospital beds	1848
Mr Harris	
Mrs Caplan	
Water quality	1849
Mr Harris	
Mrs Caplan	
Election finances	1850
Mr Kormos	
Mr R. F. Nixon	

Highway safety	1850
Mr Cousens	
Mr Wrye	
Mr Sterling	
Retail sales tax	1851
Mr Adams	
Mr Mancini	
Severn River development	1851
Mr Pouliot	
Mrs McLeod	
Ontario Provincial Police	1852
Mr Villeneuve	
Mr Offer	
Highway construction	1852
Mr Callahan	
Mr Wrye	
Ontario Waste Management Corp	1853
Mrs Grier	
Mr R. F. Nixon	
Wetlands management	1853
Mrs Marland	
Mrs McLeod	
Mental health services	1853
Mr D. R. Cooke	
Mrs Caplan	

Petition

Student segregation	1854
Mr McLean	

Report by committee

Standing committee on general government	1855
Mr Pelissero	
Agreed to	1855

First readings

Arbitration Act, 1990, Bill 226	1855
Mr Scott	
Agreed to	1855
City of Etobicoke Act, 1990, Bill Pr83	1855
Mr Henderson	
Agreed to	1855
City of Windsor Act, 1990, Bill Pr94	1855
Mr M. C. Ray	
Agreed to	1855
Floral Emblem Amendment Act, 1990, Bill 227	1855
Mr Sterling	
Agreed to	1855
City of Scarborough Act, 1990, Bill Pr91	1855
Mr Faubert	
Agreed to	1855

Third reading**Occupational Health and Safety Statute Law Amendment**

Act, 1989, Bill 208	1854
Mr Mackenzie	1854
Mr Laughren	1855
Miss Martel	1855
Mr Riddell	1856
Mrs Marland	1856
Mr Phillips	1857
Agreed to	1858

Second readings

Ottawa Arts Centre Foundation Act, 1990, Bill Pr41	1858
Mr Grandmaitre	1858
Agreed to	1858
City of Ottawa Act, 1990, Bill Pr60	1858
Mr Chiarelli	1858
Agreed to	1858
Town of Simcoe Act, 1990, Bill Pr66	1858
Mr Miller	1858
Agreed to	1858
AXA Home Insurance Company Act, 1990, Bill Pr69	1858
Ms Poole	1858
Agreed to	1858
Ontario Korean Businessmen's Association Act, 1990,	
Bill Pr73	1858
Mr Ruprecht	1858
Agreed to	1858
Township of Guilford Act, 1990, Bill Pr79	1858
Mr Eakins	1858
Agreed to	1859

Third readings

Ottawa Arts Centre Foundation Act, 1990, Bill Pr41	1858
Mr Grandmaitre	1858
Agreed to	1858
City of Ottawa Act, 1990, Bill Pr60	1858
Mr Chiarelli	1858
Agreed to	1858
Town of Simcoe Act, 1990, Bill Pr66	1858
Mr Miller	1858
Agreed to	1858
AXA Home Insurance Company Act, 1990, Bill Pr69	1858
Ms Poole	1858
Agreed to	1858

Ontario Korean Businessmen's Association Act, 1990,

Bill Pr73	1858
Mr Ruprecht	1858
Agreed to	1858
Township of Guilford Act, 1990, Bill Pr79	1859
Mr Eakins	1859
Agreed to	1859

Second reading

County of Simcoe Act, 1990, Bill 177	1859
Mr Ballinger	1859
Mr McCague	1859
Mr Owen	1860
Mr Charlton	1861
Agreed to	1862

Committee of the whole House

County of Simcoe Act, 1990, Bill 177	1862
Mr McCague	1862
Mr Ballinger	1863
Reported	1866

Second reading

Environmental Protection Statute Law Amendment Act,	
1990, Bill 220	1866
Mr Adams	1866
Mrs Grier	1867
Mrs Marland	1867
Adjourned	1868

Other business

Member for Huron	1843
Mr R. F. Nixon	
Mr Laughren	
Mr J. M. Johnson	
Mr Riddell	
Adjournment	1868

Lists of members

Members and their responsibilities	1969
Committees of the Legislative Assembly	1872

TABLE DES MATIÈRES

Le mardi 19 juin 1990

Première lecture

Loi de 1990 sur l'arbitrage, projet de loi 226	1855
M. Scott	
Adoptée	1855



Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Wednesday 20 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le mercredi 20 juin 1990

Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 20 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ARTS AND CULTURE FUNDING

Mr Morin-Strom: I would like to bring to the government's attention serious concerns that have been expressed to the Premier directly by the Arts Council of Sault Ste Marie and District. The Premier has consistently underfunded arts and cultural activities throughout the province. I would like to reiterate their concerns as expressed in a letter to the Premier of 11 June:

"The Arts Council of Sault Ste Marie and District, representing over 70 member organizations and many thousands of individuals involved in the arts, is greatly concerned about the low priority your government places on the value of arts and cultural activities in this province. Of 27 ministries, the Ministry of Culture and Communications is ranked 25th out of 27, with a base increase in this year's budget of only 1.85%. The only ministries to receive less are Government Services and Natural Resources.

"The arts sector has a major role to play in shaping a dynamic and productive future for Ontario. There are thousands of working people in Ontario involved in the creation of art and the complex process of bringing art to the people.

"It is vital to have a healthy and thriving cultural community in the province which can provide people with an essential sense of wellbeing, which contributes to a worthwhile lifestyle....

"The government of Ontario is requested to review the financial situation recognizing the importance of the economic and artistic value of arts and culture in Ontario."

I very much support these concerns and hope the government will give them its greatest attention.

LUMBER INDUSTRY

Mr Pollock: The Minister of Natural Resources knows that there is high unemployment in the North Hastings and Haliburton area because the mill at Harcourt is shut down. The loggers who work in the bush are sitting idle because of this sawmill shutdown.

These loggers have been in contact with the Ministry of Natural Resources officials and they indicate that there is cleanup work that could be done throughout the area. Cleanup means taking out poor-quality timber, preparing new planting areas and the general good maintenance of the forest. These loggers also have expensive equipment sitting idle. It would seem that now that the lumber market is soft it would be good common sense to do this work.

Would the Minister of Natural Resources please act on these requests from the loggers and release money for the North Hastings area so that these loggers will not lose their equipment to the banks and can be gainfully employed again?

PAPER RECYCLING

Mr Adams: The Peterborough County Board of Education has been selected as the only board in Ontario to participate in a

full-circle recycling program. Through this program, staff and students will use Hilroy paper products made from materials recycled in the schools.

In co-operation with the city of Peterborough and Scott's Plains Recycling, the board will recover fine paper to be sent to Scott's Plains for sorting and bailing, to Noranda Recycling in Thorold for processing and to Hilroy in Toronto for the manufacture of paper materials for schools. It is hoped that some material will be recycled a second or third time.

The Peterborough County Board of Education was chosen for this project because of well-developed recycling programs, access to Scott's Plains Recycling and the board's application for Ministry of the Environment funding to extend school-based recycling programs.

The board will assume a leadership role in environmental education, environmental action and care of the environment. Environmental education will be incorporated into instructional programs in all divisions. Specialized courses in environmental education will be developed. Outdoor education will be an important component of environmental education in Peterborough. The board will purchase, wherever possible, environmentally friendly products which have an acceptable level of performance. The board will also reduce, reuse, recycle and recover waste materials in all departments.

LESBIAN AND GAY PRIDE DAY

Mr R. F. Johnston: This Sunday is Lesbian and Gay Pride Day in Ontario and it is a reminder to us all, on the one hand, of how far society has come and, on the other, how far it still has to go in recognizing our gay brothers and sisters in this province in terms of their rights and sexual orientation.

It was in my first years as a member that Jim Renwick and I moved a motion to amend our Human Rights Code to put sexual orientation in as one of the prohibited grounds of discrimination in the province. It was defeated, but I am happy to say that years later Evelyn Gigantes, a member of our caucus, was successful in bringing this government to add that prohibition to our Human Rights Code.

However, in this city, a progressive city in many ways, Mayor Eggleton has now twice in two years refused to sanction Lesbian and Gay Pride Day even though the Supreme Court of Ontario, in an Ottawa ruling, has indicated that in point of fact this is an important matter that should be dealt with. Our own Ontario Human Rights Commission said it would deal with this quickly and a year later is not prepared to make a recommendation on this, and will not do so until after this date has passed again, something which I regret a great deal.

To many members this may not seem to be a particularly important day, but I would say to them I cannot imagine any other group being denied a day and having no recourse through the human rights commission in the fashion that this group has had, and one can see that this kind of systemic discrimination continues to this day.

TAXATION

Mr Sterling: I would like to comment on a special 16-page feature which appears in the 25 June edition of Time magazine. This advertising feature is entitled "Global Connections: Canada and Japan—Partners Across the Pacific." As you

flip through this article, lo and behold, there on the fifth page in living colour is a picture of our Premier. In the accompanying text, the Premier "says that the province has a lot to offer. 'We're very well positioned geographically. We have a highly sophisticated workforce, our unit cost of production is below the United States,' and it's a good tax environment."

I think taxpayers in this province would take great issue with the Premier's use of the term "good tax environment." This government has implemented 33 separate tax increases since 1985. This government has doubled its income from the taxpayers in five short years. This government has increased its spending at a faster rate than any other government in North America. The employer payroll tax, loosely called a health tax, and the commercial concentration tax alone have caused many companies to abandon this province. The Premier's use of the term "good tax environment" certainly describes the situation for that government, but it certainly does not describe the situation for the taxpayers of this province.

The Speaker: Thank you.

Mr Sterling: I hope that the Premier's election material is a lot more accurate—

The Speaker: Order.

GIOVANNI CABOTO DAY

Mr Cordiano: This is a special week for Canadians and for those in the Italian-Canadian community all over our great nation. This week we recognize as Giovanni Caboto Week in honour of the 15th-century cartographer, explorer and the man who discovered Canada.

On the morning of 24 June 1497, Giovanni Caboto, with a crew of 18 men in his ship, landed on the eastern coast of Canada. He arrived at what Canadians now identify as Cape Breton Island. Attempting to navigate a westward passage to the east, Caboto had happened upon this land, which he christened the New Found Land.

As we celebrate the daring exploits and deeds of this renowned Italian adventurer, it is also a time to reflect on the huge contributions Italians have made to Canada's social, economic and cultural life. Showing the tenacity and perseverance that culminated in the discovery of our continent, Canadians of Italian descent have carved out a place for themselves in Canadian life. Today, it is impossible to think of Ontario or Canada without an Italian imprint on our society.

Therefore, on behalf of the government of Ontario, we are pleased to recognize 24 June 1990 as Giovanni Caboto Day and commend the observance of this historically relevant occasion to the Italian community and all of the people of Ontario.

GAMBLING REHABILITATION

Mr Farnan: For some time now, I have been requesting the government to use a percentage of lottery profits in order to provide gambling rehabilitation treatment clinics in the province of Ontario. The government is making over \$500 million in profits from lotteries and at the same time there is not one gambling rehabilitation clinic in all of Canada, let alone in Ontario.

Recently we had a committee listen to a presentation from the Canadian Foundation on Compulsive Gambling. Many individuals came forward, among whom were individuals who had the disease of pathological gambling. They gave their testimony. They are asking for help. The committee, after listening to the presentation, moved a resolution that their brief be

presented to the Minister of Health and that priority funding be given to this particular issue.

Today I ask the Treasurer, this government, not to wait. There is not one clinic available. We are sending hundreds of people to the United States for treatment. There are people waiting right now for treatment. Will this government provide gambling rehabilitation clinics and provide them now?

1340

REST HOMES

Mrs Cunningham: My statement today is directed to the Minister without Portfolio responsible for senior citizens' affairs. Currently there are no provincial guidelines or regulations establishing the standards of care in rest homes. Unfortunately, we are all aware of many cases of resident abuse. Many families rely on rest homes to provide support for their elderly or physically disabled in a family-type setting they cannot find elsewhere.

A New Agenda, this report here, was released by his government on 2 June 1986. It promised that the government would take the necessary steps to ensure that rest homes are subject to appropriate regulation. The Ontario Long Term Residential Care Association and the minister's Advisory Committee on Rest Homes also advised his government, in a report released in April 1989, that there is a pressing need for regulations to govern private rest homes and retirement homes. We were expecting to see the issue addressed in the long-term care report just recently released, but instead it completely omits the regulation of rest homes.

While these reports are sitting on desks and while he slowly reviews each one, many seniors are being underfed and subject to physical abuse. Families and patients in these facilities cannot afford to wait any longer. His government must immediately draft regulations governing private rest and retirement homes in Ontario.

WINDOW ON TECHNOLOGY CENTRE

Mr Matrundola: I am pleased to rise on this day in June 1990, seniors' month, with an invitation to my colleagues to visit a fascinating facility, the Window on Technology Centre, which the Minister of Community and Social Services and I opened last Friday.

The Window on Technology Centre is a simulated home. It offers hands-on kitchen, bathroom, living room and bedroom displays and demonstrates innovations to assist in freeing seniors and disabled people from dependencies on others. The centre was developed by the program technology branch of the Ministry of Community and Social Services.

This centre proves that modern technology holds the key to freeing citizens with special needs from the barriers which prevent their independence. In short, the technology demonstrated here can liberate them, because the exhibit allows everyone, especially older and disabled persons and their care givers, to touch and handle the items. This way people can become acquainted with new products and ideas, have them explained and demonstrated, and see at first hand how their lives can be improved, how they can lead freer lives.

I am very happy we have opened this centre in Willowdale, in my riding. My constituents can visit the centre and I hope all Ontarians will do the same. The displays will change as new products and concepts develop. I urge all members to visit the Window on Technology Centre from 1 pm to 7 pm, 26 to 29

June, at North York Civic Centre, 5140 Yonge Street adjacent to city hall, on the 12th floor.

STATEMENTS BY THE MINISTRY

POLICE TRAINING

Hon Mr Offer: I rise today to announce new initiatives in police training.

Today the traditional policing function is at a crossroads. Policing in the 1990s and into the 21st century will be measured not in terms of strength of force but in terms of strength of service. Increasingly, Ontario's police officers are actively engaged in areas of public service, such as crime prevention, education and community relations.

It was in recognition and in support of this vision of the changing role of police that my ministry embarked on a three-phase approach to meet the challenges our officers face today.

The first phase, announced last October, was the promotion of ongoing forums for discussion and the creation of community-based liaison committees. This initiative was designed to provide continuous opportunities for the police and the community to identify and address issues of mutual concern.

The second phase began with the introduction of the Police Services Act last December. This bill provides the legislative framework for policing in the future and addresses issues such as mandatory employment equity, a special investigations unit, a province-wide system for public complaints and a clear distinction of the roles and responsibilities of police officers, chiefs of police and local boards of commissioners.

Today, I am announcing the third phase. These new police training initiatives that I am announcing today will serve to bring policing into a new era.

After a thorough review of police training which my ministry commenced last November, I am today announcing an increase of \$3.6 million in the yearly budget of the Ontario Police College. This represents a 50% increase in the existing \$7-million annual operating budget. This increase provides for the creation of an additional 32 staff positions at the college.

In addition, I am pleased to announce the establishment of a two-week drug investigation course.

The increase in funding will also allow us to improve race relations training. Race relations training is now being integrated into all aspects of police training from the recruit to the advanced training level. The development of race relations training is to be a co-operative venture, involving police representatives and community leaders.

It is extremely important that our officers not only receive the best training available at the recruit level but also be retrained throughout their careers. It is critical for our police officers to update their police skills, to be current in terms of the law and in other issues, such as race relations.

As a result of the funding I am announcing today, the number of officers participating in training will increase from 600 per year to 2,500 by 1992. In addition, we are reinstating six courses and expanding our police management courses.

Additional training and retraining is a major step towards our goal of fostering increased sensitivity to the community by police officers on the front lines.

This announcement today, together with the Police Services Act and our ongoing consultative process between the police and the community, will provide the direction for policing into the 1990s and the 21st century.

WATER AND SEWAGE UTILITY

Hon Mr Sweeney: Today, I have additional information about the new provincial water and sewage corporation which will provide a secure supply of clean water at reasonable cost to the people of Ontario.

The corporation will make decisions that are consistent with the government's priorities to preserve and improve our environment, to protect the health of people and to meet the province's objective for community planning and affordable housing.

Today, I am pleased to announce that James MacLaren, a leading environmental and water resource specialist, will head the new water and sewage utility. His appointment is effective 1 July. Mr MacLaren is with us today in the gallery. We are pleased to greet him.

Mr MacLaren's credentials are impressive. He has a 40-year history of managing water and sewage treatment issues for clients such as the World Bank and the federal Department of the Environment. Mr MacLaren has extensive experience working with the Ministry of the Environment and municipalities in the development of a wide variety of sewer and water initiatives. He has managed projects in Manitoba, New Brunswick, Nova Scotia, Newfoundland and overseas. He also served as one of the three members on the Inquiry on Federal Water Policy.

Currently, Mr MacLaren is chairman of the Municipal-Industrial Strategy for Abatement Advisory Committee to the Ministry of the Environment.

I believe Mr MacLaren has the sensitivity and business acumen that the head of the new water and sewage utility requires. He has an in-depth understanding of environmental policies and issues relating to water supply and waste management combined with proven management and technical skills.

In order to have public input on the development and shape of this corporation, one of the first things Mr MacLaren will do is consult with all those who have an interest in the new utility. That includes environmental groups, municipalities and staff of the Ministry of the Environment who will be working in the new corporation.

The Ministry of the Environment will continue to set standards, regulate and monitor facilities. However, the corporation will report to the Minister of Municipal Affairs because of that ministry's important role in community planning.

I believe Mr MacLaren's appointment is more evidence of this government's commitment to manage growth in such a way that both this generation and future generations will always have access to clean water.

1350

PROVINCE OF ONTARIO SAVINGS OFFICE

Hon Mr Mancini: The Ontario government, through the Province of Ontario Savings Office, is extending new banking services to the people of northern Ontario. Six new banking agencies will be opened in northern Ontario, supported by new savings office branches in the north.

The agencies, which provide basic banking services, will be located in Pickle Lake, Virginiatown, Armstrong, Killarney, Sioux Narrows and Gogama. These agencies will offer deposit and withdrawal services, cheque cashing, travellers' cheques, guaranteed income investment certificates and money orders. The first agency, in Pickle Lake, is scheduled to open in September 1990.

The local business people who act as agents will be supported by new savings office control branches in Sudbury, Thunder Bay and Sault Ste Marie. The first of these northern savings office branches will open in Sudbury this fall.

At present, residents of some small communities in northern Ontario must drive hundreds of kilometres to do their banking. By providing basic financial services, we will be helping the local economies in these towns as part of this government's ongoing commitment to northern Ontario. I am proud to be part of that commitment.

The savings office has an excellent tradition of serving Ontarians, dating back to 1922. The savings office provides a 100% guarantee on every dollar on deposit, has low service charges, competitive rates and a record of excellent government service and customer service.

The new northern agencies and branches will continue in this important tradition. I am convinced that these new agencies will fill a very real need for the people of Pickle Lake, Virginiatown, Armstrong, Killarney, Sioux Narrows and Gogama.

RESPONSES

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr Pouliot: Lately we have not been privileged or blessed with much good news concerning the north. In fact, it was yesterday, Mr Speaker, as you will recall very clearly, very vividly, that some sins of omission were performed by the Minister of Transportation whereby he chose, deliberately and systematically, to favour the north vis-à-vis the needs of the south. But that was yesterday.

Today we rejoice and we commend the government on having finally listened to the lobby, the legitimate grievances of the people concerning one of the most important essential services in small communities, that of the right to make deposits and to withdraw, to conduct a banking business conducive to good economic order, conducive to growth indeed.

The community of Armstrong says thank you, echoed by the feelings of the people of Pickle Lake, for they too finally will be able to adhere to a system that, automatically and as a matter of fact, other Ontarians take for granted. A small step, but like every journey, every journey starts with a small step. This is a small step indeed, and we welcome it.

POLICE TRAINING

Mr Wildman: I would like to respond on behalf of our party to the statement of the Solicitor General. We welcome the setting up the community-based liaison committees and the introduction of the bill for employment equity and the definition of the role of the police in Ontario.

I particularly would like to comment, though, on the commitment of more funding for police training. It has been a serious problem in the past for municipal police forces to get training at the college because of a shortage of space. I welcome the fact that this announcement will mean there will be an increase of 600 per year to 2,500 by the year 1992 for retraining. This is long overdue.

It shows that the government at least has a commitment to improve training among our police forces and to improve the representation of the various groups within society in the police and the police's liaison with the community.

WATER AND SEWAGE UTILITY

Mr B. Rae: Since Mr MacLaren is here, I simply want to wish him well in his new responsibilities. There may be one or two in the House who are disappointed by the announcement, but I would think that number would be very small. I think the number of those who are supportive of the announcement would be much, much greater.

I say to Mr MacLaren that we on this side of the House have been critical of the establishment of the agency, rather than keeping it under the responsibility of the Ministry of the Environment. The minister concluded his statement by saying that he wanted to continue to assure the people of the province that they would have clean water. I would say to the minister that he knows perfectly well the political consequences of what the government has done. That is, if there is any problem with respect to the provision of clean water to the citizens of the province, every time we ask a question of the minister, he will simply say that this is now the responsibility of the agency and there is nothing he can do about it.

Having said that, I want to wish Mr MacLaren well in his responsibilities and say that we look forward very much to continued debates in the province with respect to the provision of clean water to the citizens of Ontario.

Mr McCague: I would like to comment on the statement made by the Minister of Municipal Affairs and to thank and welcome Mr MacLaren for joining the forces of government.

I want to warn the new chairman that one of the minister's motives may be to have the municipalities put more in the pot towards sewage and water. He may also want to take a lot more dollars out of the pockets of the developers. Mr MacLaren should be aware that this could be a hidden agenda and, of course, since he is going to be working for all the people of the province and all the people of this Legislature, he would want me to mention that to him today.

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr Runciman: I would like to respond, on behalf of our party, to the Minister of Revenue's announcement of the expansion of the Province of Ontario Savings Office to communities in northern Ontario. I am sure he may recall that a couple of years ago—perhaps it is a year ago—I introduced a resolution, which was supported by all members of the Legislature, calling for the expansion of POSO services into smaller rural communities that are not now being provided with financial services by the traditional institutions in this province.

I do commend him for this extension but I want to express the regret that it does not incorporate eastern Ontario. As the minister will know, he has a number of applications from eastern Ontario asking for consideration for this kind of extension. It strikes me as the sort of thing that can happen rather quickly.

We have waited some time for this expansion. I would urge the minister to take a closer look as soon as possible at a number of municipalities in eastern Ontario that are waiting for this kind of service to be provided to them as well. Let's take a look at the east for a change, I urge the minister, but my personal congratulations.

POLICE TRAINING

Mr Runciman: I have a brief response to the Solicitor General with respect to his announcement of additional funding for training. Again, we welcome that announcement. We think it

is a good and wise one and a sound investment for the future with respect to policing in this province.

Policing, as we all know, is becoming an increasingly complex and dangerous profession in Ontario. Certainly that is the case over the past five years with the Liberal government in power. We have seen violent crime increase in this province by 38% during the tenure of the Liberal government.

I am not attempting to lay all the increased crime problems in this province at the feet of the Liberals, but I want to say that I have indicated to the government on a number of occasions that it is not doing enough in terms of providing the necessary tools for policemen and policewomen across this province to effectively fight increasing crime, especially the influx of illicit drugs on to the streets of our communities right across this province.

This is a step in the direction of correcting those kinds of problems, but I want to say there is an awful lot more to do. We have to do something to address the very real morale problems of police officers, men and women, and provide them with the necessary tools to do an effective job in fighting crime.

The Speaker: There are quite a number of private conversations taking place. I do not know whether they are necessary or not. I would like to start question period in an orderly fashion.

1400

ORAL QUESTIONS

ONTARIO ECONOMY

Mr B. Rae: I have some questions this afternoon again for the Treasurer. We have been asking on this side of the House for several weeks now just what it is going to take before this government recognizes that there is a major recession going on in the goods producing or manufacturing sector of Ontario.

Travelling throughout the province, as the Treasurer does and as I do, he will know that in the smaller industrial towns the number of jobs that have been lost is colossal and there is a real recession going on out there in jobs. In communities like Cambridge, Listowel, Goderich, Windsor, Sarnia, Chatham and going east from Toronto to Ottawa and into northern Ontario, we have layoffs of 100, 200 and 300, in ways that are quite devastating to those communities, losing jobs that pay \$8, \$9, \$10, \$12, \$14 an hour, well-paying jobs that are at the very heart of the industrial economy of Ontario.

The question I have for the Treasurer is this: What is it going to take before this government admits that there is indeed a recession going on in manufacturing in Ontario?

Hon R. F. Nixon: I appreciate the Leader of the Opposition raising this important matter. There is no doubt that the level of economic activity and real growth is lower than it has been at any time that we have measured it in the office of economic policy in the Treasury in the last four years.

The budget projected that the growth would be well below 2%. We indicated 1.7%, and it may even be lower than that. But there is not a recession by way of no or negative economic growth for three months running. I do not want to be academic about it, but that is what a recession is.

The honourable member, being a well-educated, capable person, has indicated a recession in manufacturing. It is true that there have been layoffs. We hear about them here and when we go home. That is what a reduced rate of economic growth is all about.

The honourable member, of course, does not use his energy and his undoubted talents to talk about the positive aspects of the economy. On a number of occasions, I have drawn to his attention and the attention of his colleagues the commitments made for real economic growth here with the provision of substantial jobs at high pay and with good benefits. The honourable member knows those changes, and I will not reiterate them at this time.

Mr B. Rae: The average wage in the service industries of Ontario is \$300 a week. The average wage in manufacturing is \$559 a week. So what the Treasurer is actually saying to the workers of Ontario is, "We are giving you growth at less than 2% and you are taking a pay cut of \$259 a week if you work in manufacturing and are going into a service job." That is what is happening to workers in Listowel, Cambridge, Sarnia, Barrie, Peterborough, east to Ottawa and all throughout northern Ontario, who have been affected by layoffs, who have jobs that are paying \$12, \$14, \$16 an hour.

When is the Treasurer going to recognize that this is happening and what is he going to do on behalf of those workers whose lives and whose families' and communities' lives are being devastated by these changes?

Hon R. F. Nixon: The statistics show that going back to the benchmark of 1 January 1990, there are 45,000 more jobs operational in this province now than there were then. This is a huge increase in job opportunities and they are not all low-paying jobs.

The honourable member is aware, as he talks about northern Ontario, that Inco is investing \$400 million in productivity and environmental improvements. There are pulp and paper investments, for example, of \$335 million in Marathon and of \$350 million in Thunder Bay. That is in northern Ontario.

When it comes to the towns in southwestern Ontario, I probably know those communities even as well as the Leader of the Opposition. Jobs are being lost and new jobs are being created. I have referred to the intention of the Ford Motor Co to invest more than \$50 million in a new engine plant and another \$500 million and perhaps more in Oakville. I understand that they are contemplating expansions in the Talbotville area as well.

The Speaker: Thank you.

Hon R. F. Nixon: Okay, Mr Speaker, I see that you are getting edgy. Perhaps I can continue this dissertation in a moment.

Mr B. Rae: The Treasurer refers to 45,000 more jobs in 1990. The Treasurer will also know that the point I am trying to make to him, and have been trying without any apparent success, is simply this: There are 82,000 fewer jobs in the goods producing sector now than there were last year.

The Treasurer is quite right when he says there has been growth in some areas, and I have admitted that in terms of the service sector. What I am trying to get him to admit is that in industrialized Ontario there are people who used to make \$12, \$14 and \$16 an hour who are being asked to work at half that rate in service sector jobs. That is what is happening to these communities.

What is the Treasurer going to do to protect the workers who are affected by these changes? Does he not recognize that he is in effect asking them to take a pay cut of nearly 50% in his so-called exercise of mock job creation?

Hon R. F. Nixon: We have mature adjustment programs and we would like to make them better, in association with the

government of Canada, which also has unemployment insurance as the basic safeguard. The member does his usual Trudeauesque shrugging, sneezing and winking, which I feel is quite inappropriate when he is dealing with these important matters. We are maintaining employment. As a matter of fact, the increase in unemployment was 0.08% last month. I did not like that but we still have the best employment record in Canada.

The honourable member will know also from the budget that our current cost allowance, which was a substantial infusion of dollars designed to improve employment, is surely our best defence. We have adjustment programs that we consider to be among the best in North America and we believe to be the best in Canada. I certainly would not deny that I would like them to be better but, believe me, they are very good and they meet the needs in a very real way as we go into an area of slower growth compared to the last four or five years.

Mr B. Rae: The Treasurer describes unemployment insurance, which was invented in the late 1930s, as somehow the Liberal innovation which is going to take workers through to the 1990s. It is unbelievable.

1410

TAXATION

Mr B. Rae: The Treasurer also referred to tax breaks for corporations as the answer for working people who are thrown on the scrap heap by his policies. I wonder if the Treasurer can tell us why it would be in the interests of the people of the province that a corporation like the Hemlo Gold Mine, for example, which had an income in 1989 of \$71.9 million, not only would not have paid any income tax in 1989 but would also have done the following: It paid to its shareholders \$17.5 million in dividends and, in addition, it received a tax credit—a gold mine receives a tax credit—in Liberal Ontario of \$1.9 million.

Can the Treasurer explain the justice of that when we have working people who are making less than \$20,000 who are having to pay income tax to the Treasurer?

Hon R. F. Nixon: I want to assure the honourable member there is nobody mining gold who is making less than \$20,000, and that is a fact. The development of the north has to be depending on the entrepreneurs and investors putting their money forward. Perhaps the honourable member would prefer a socialist state. That is not what we have here.

Mr B. Rae: Come on.

Hon R. F. Nixon: The member scoffs, but I will tell him this: The only reason the company is not paying taxes—and I am not aware that it is not; I will accept the honourable member's opinion on this—is the programs that are available in Canada and in Ontario which encourage investment. That investment leads to high-paying jobs, particularly in the resource industries of North America. We are very proud of those particular expansions, and we in Ontario have been leading Canada in this regard.

Mr B. Rae: While the Treasurer gets worked up about how marvellous is the economy over which he is presiding, perhaps he can talk and explain to us why it is that the 1989 income of the Laurentian General Insurance Co was \$7.9 million, the dividends paid to shareholders were \$4.4 million and it received a tax credit of \$4.7 million—a \$4.7-million transfer from the Treasury to Laurentian General. I wonder if the Treasurer can

explain the justice of that to the ordinary taxpayers of this province, who are paying through the nose to the government while these companies are receiving an actual transfer of funds on their taxes from the taxpayers of the province. Let him figure that out.

Hon R. F. Nixon: Was the honourable gentleman criticizing me for getting worked up in my answers? What is turning him on about his questions, for heaven's sake? Really, you would almost think there was an election in the air and he is trying to defend a very weak brief.

The honourable member knows that in the case of insurance companies, they are investments for people putting their money in there and they require return. That is the system. It is called the capitalist system. The honourable member does not know much about that.

When it comes to corporations paying taxes, the level of taxation paid by corporations has been growing rapidly. As a matter of fact, it has grown more rapidly than taxes paid by individuals like the honourable member and myself. This is because of the profits made by the corporations. We believe this system is good. It returns to the public Treasury substantial amounts of money which pay for the programs that all of us here want to pay for and the ones that are frequently urged on us by the Conservatives. We believe that system is fair and equitable and in reasonable balance.

Mr B. Rae: I am delighted that the Treasurer thinks this is a wonderful system. He says that the tax system is how we pay for programs. I would like to know how we are going to pay for programs when one of the wealthiest gold mines in the province is getting a \$1.9-million tax credit and the Laurentian General Insurance Co is getting a \$4.7-million tax credit. Just what is the justice of that system? The Treasurer says this is how capitalism works. One can have a mixed economy where everybody pays his fair share. What is wrong with everybody paying his fair share? Why is he not forcing these companies to pay their fair share precisely so that he can carry on the kinds of programs that everybody in this province wants?

Interjections.

The Speaker: Order. No? Well, we will just continue waiting if you want to waste the time. I think it is time you were taking stock of yourselves.

Hon R. F. Nixon: My briefing book and my assistant tell me that corporations are paying \$4.8 billion. I know the honourable member opposite feels this is insufficient. He sometimes loses hope that he will ever convince me of his point of view and I have the same feeling about him. Maybe that is the way the world has to be, because we believe that legitimate expenses by corporations should be deducted from their tax requirements and that losses in the past have to be compensated for.

We have to understand it is the private sector that develops these resources, and anyone who feels that the public sector should do so has the right to put that forward and let the people decide what the best alternative is. We think this system is a good one and we think we are paying our way with a balanced budget which most people approve of. We are also providing a broad range of programs which, as Liberals, we believe move a great distance towards meeting the needs of the community of Ontario.

CONSTITUTIONAL ACCORD

Mr Harris: I have a question of the Attorney General, who seems to want to get into the fray. I would be delighted to allow him to do so, I hope in a little more serious vein than he has been in so far.

Given the impasse in Manitoba and Newfoundland's profound reservations, we are facing the growing possibility that the Meech Lake-Langevin accord will not be passed by the deadline. Obviously this tremendously significant crossroad in our history demands that alternatives be examined, that plans be made. My question to the Attorney General is, if the Meech Lake accord does not pass, what plans does this government have for Monday morning?

Hon Mr Scott: As the honourable leader of the third party and I have not been educated in the academic capitals of Europe, I expected a sensible question and I hope to give a reasonable answer to him in the best Ontario tradition. It is an important question. The government is looking carefully at what alternatives may be considered, as I am sure other governments in the country are.

There is every hope that the government of Newfoundland, the Legislature of Newfoundland, the House of Assembly, will be able to deal with the issue on Friday. As the honourable member knows, our Premier is there today at the invitation of the Premier of Newfoundland, one of the two invited to address the House of Assembly, and I know all honourable members who support the accord wish him well in his presentation. The issue will be decided, we expect, in Newfoundland on Friday and there will be potential, perhaps a remote possibility, for deciding it in Manitoba by Saturday. If one of those eventualities fails, all of us will have to consider other alternatives, as will the province of Quebec.

Mr Harris: I appreciate the optimism and support it for the positive scenarios that can develop. My concern, though—and surely the Attorney General would agree that Ontarians are concerned indeed, as are Canadians—is that without any serious consultation of the people of our province, which I am concerned about in this case, as a Canadian, we end up with these 11th- and 11th-and-a-half-hour deals, with things coming out of left field, into which the cabinet, the leaders of the opposition, the Legislature and the people of Ontario have not had an opportunity for any meaningful input.

I wonder why the Attorney General is saying we will have to develop plans. Surely this scenario is a very real possibility. I wonder if the Attorney General would share with us and the people of this province what options the government is considering and what plans we are considering so that we do not have any more surprises at the last minute with things we have not had consultation with the people of this province about.

1420

Hon Mr Scott: It is a serious and important question and I want to treat it in every respect that way. The method of amending the Constitution is not devised by governments; it is fixed by the 1982 Constitution.

The amendments with which we are presently dealing are the first effort to use the 1982 amending formula. As I have noted, before 1982 you simply introduced a resolution in the United Kingdom Parliament, with or without provincial support. So we have been using this method provided for in the Constitution for the first time. There is a high level of dissatisfaction with it. The three-year period that the Constitution calls for is judged by many to be too long in the circumstances. The

process of requiring legislative assemblies to devise their own processes for approval has not met with satisfaction everywhere, though I believe in Ontario the very full committee hearings that were bipartisan in nature were, on balance, well received by our public.

The honourable member will have to face, as I think we all do, the reality that, until the Constitution is amended, the Constitution amending process we have is the one that is there. If it should happen that Meech Lake fails on the anniversary date, it will always be possible—indeed it will be necessary—to begin the process over again or to abandon the exercise of constitutional amendment. It would be very difficult to abandon the amendment process, because there are other agendas, such as the western agenda, the Canada clause and the aboriginal interest, that have to be addressed.

Mr Harris: The Attorney General has said that each legislature is free to choose its process on the amending formula that was in the 1981-82 Constitution. That provides three years after the first legislature passes a resolution suggesting a change to the Constitution. Before a legislature passes that, there is more time. There could be three, four or five years' lead time, but we know there are at least three years.

Surely the Attorney General is not suggesting we use the process that Ontario followed from 1987 to today, where it was unanimous in this House that a committee be struck to consult with the people of Ontario before our first minister went to these meetings and horse-traded unrelated items around the table. Since the Attorney General has not been specific about any plans, would he at least agree with me that the process we follow in Ontario is a bad process, a flawed process, and whether Meech Lake passes or not, we must ensure that never again does a first minister of this province attend a conference to deal with the Constitution without consulting all the options first in at least a three-year period that we know before a final commitment is made, and that our first minister does not attend these conferences without a mandate, without having consulted, whether by way of plebiscite, referendum, extensive hearings, consultation—

The Speaker: Thank you. The question has been asked.

Hon Mr Scott: The honourable member will not want to overlook the fact that the constitutional process is not one we have devised; it is fixed by the Constitution.

Mr Harris: We can deal with it in our way in that three-year period.

Hon Mr Scott: The member will have to save his observation for another question. That is the way this process works.

The constitutional process is fixed by the Constitution itself. The honourable member will remember that the Meech Lake accord was initiated by the premiers of the provinces before the 1987 election, and the honourable member, I am sure, had the same experience I did when he went around in that election and we were asked questions about Meech Lake.

I had public meetings in my riding on the subject, and I know honourable members did. There was a level of concern about the accord which I believe was not addressed to the satisfaction of everybody but to the satisfaction of many Ontarians by the process that this House selected for itself to examine the accord. I believe that was not necessarily a perfect way of proceeding, but in terms of the constitutional requirement, it was a reasonable way of proceeding.

We assess that the constitutional requirement may be inappropriate. We may need a constitutional amendment about how

we amend the Constitution. One of the things the honourable member will want to address—and he will, because he was there—is to recognize that the memorandum of agreement which was signed last week in respect of Senate reform and aboriginal issues attempts to establish a new process which we hope will work better and more in the interests of all Canadians.

TRANSPORTATION SAFETY

Mr Cousens: I have a question for the Minister without Portfolio responsible for disabled persons. The people of Metropolitan Toronto have witnessed another tragedy on the Toronto Transit Commission. Miss Parenteau was not the first visually impaired person to fall over the edge of a subway platform on the TTC. A young woman was killed because of inadequate standards. A young woman becomes another statistic of unnecessary death. A young woman has lost her life needlessly. Her death will create fear for other visually impaired people who normally use public transit. Why are there no safeguards or standards in place to protect the visually impaired, and when will such safeguards and standards be in place?

Hon Ms Collins: I know that all members of the House are saddened by the death of this disabled woman yesterday, and it is a matter of concern to everyone in the Legislature. I can tell the member that a coroner's jury has been looking at a previous accident of a person without a disability, and it is looking at the safety features of the subway system in Toronto. I am sure the coroner's jury will be reporting, if it has not already done so.

Mrs Marland: I am amazed that this minister does not know that the Morrison inquest is complete and that there are already recommendations from it. In fact, there are 21 recommendations. This government, and I guess the response of this minister has just confirmed it, has a terrible record with regard to fulfilling its responsibility to the people with disabilities. I hope the public transportation safety standards will become an immediate priority and I certainly hope, when the minister has time to read the recommendations from the Morrison inquest, that she will do something to implement those on behalf of people with disabilities.

The Speaker: And the question?

Mrs Marland: At the inquest, the TTC's open subway platforms were declared dangerous by transit specialists. Will the minister work with her colleague the Minister of Transportation to ensure that those recommendations from the Morrison inquest are adopted and implemented when she finds out what they are?

Hon Ms Collins: I am pleased to tell the member that the Minister of Transportation is looking at the safety standards within subways. I can also tell the member that much has been done in regard to transportation for people with disabilities in this province. In fact, Ontario leads the way in Canada as far as disability issues are concerned.

The Minister of Transportation just last week endorsed a TTC report, Choices for the Future, which of course the member said she wanted to see done previously. That has been endorsed, and the minister has also announced several other programs increasing funding for transportation for people with disabilities.

Mrs Marland: I am not going to waste time responding to the rhetoric of the issue of some of the points that were made last week by the Minister of Transportation.

The Speaker: And the question?

Mrs Marland: The Minister without Portfolio responsible for disabled persons has a responsibility to ensure that the needs of disabled people are voiced and recognized in cabinet. I simply want to know if this minister has enough influence with the Minister of Transportation to ensure that by the end of today, safety strips are installed in all these stations. Will the minister guarantee that those safety strips will be installed by rush-hour this afternoon? It is not too much to ask.

Interjections.

The Speaker: Order.

1430

Hon Ms Collins: I can assure this House that this province is committed to ensuring the safety of people with disabilities on the transportation systems of this province. But I have to remind the member that this comes under the Toronto Transit Commission, which reports to Metro council, and that we have endorsed the requests of Metro council and of the Toronto Transit Commission. We will continue to work to ensure that there are very good programs in place as far as transportation is concerned.

Mrs Marland: I just asked a simple question.

Hon Ms Collins: That is not rhetoric. We had a commitment of increases in funding from 75% to 90% for accessible bus systems in this province. We had an endorsement of the Toronto Transit Commission report, Choices for the Future, which includes accessibility to subway systems and other transit systems. I can assure the House that we do care about people with disabilities in this province and we care about their safety as well.

AFFORDABLE HOUSING

Mr Allen: I have a question to the Minister of Housing.

Rick Myers a few years ago in his parish set up a pastoral aid and counselling program and very quickly discovered that his clients could not put food on the table. So he went into a food bank, which expanded and which he resented because he figured it was the responsibility of the government to make certain that those needs were met in an ongoing way. Now, unfortunately, he finds the same clients are short not only on the food side but also on the housing side. So Stop 103, his program, has gone into the housing business, and he resents that because he does not think that is his business and he thinks the problem lies with the failure of affordable housing in Ontario.

I wonder what the minister has to say to people like Rick Myers, on the food bank supplier side and in the housing effort, and to the thousands of users of food banks as to why the government has failed to provide affordable housing for those clients or even to mention housing in the 1990 budget.

Hon Mr Sweeney: To pick up on the honourable member's last comment, I would point out to him that while the word "housing" may not have been mentioned in the preface part of the budget, the important numbers, which is what a budget is about, were very, very impressive as far as housing was concerned. The Ministry of Housing's budget increased 26%, and if he checks the other ministries of this government, I think he will not find a higher number. On top of that, the support for subsidized housing increased 89% in that budget. Those are the two critical figures, not whether the word "housing" was mentioned in the preface part of the budget.

The second point I would make to my honourable friend is to wonder at his comment that Rick Myers is curious as to why a community organization like his should be involved in housing. I thought my honourable colleague was very supportive of the fact that by moving to the non-profit sector and to community co-op, we are doing that very thing. We are enlisting the aid and the support at the request of community groups to provide supported housing, social housing, subsidized housing, to the people of this province.

Mr Allen: The minister does not appear to appreciate the pressures which the people on the supply end of all that are under. He referred to impressive figures. The impressive figures in this respect are that he and his ministry consider affordable rents to be \$1,440 per month in Ottawa, \$1,270 a month in Thunder Bay and \$1,400 a month in Toronto, and yet a single mother with two children can make only a maximum of \$1,447 under the social assistance programs. That means there is \$7 in Ottawa, \$177 in Thunder Bay and \$47 in Toronto to meet a budget minimum request for that size of family that Agriculture Canada says must reach at least \$340.

Food bank volunteers and the poor want to know how they can possibly afford the minister's affordable housing.

Hon Mr Sweeney: My honourable friend would probably be aware of the fact that close to 200,000 families in Ontario are receiving subsidy support for their shelter at the present time. Those are families that are spending or would have spent in excess of 25% of their income for housing.

The second point I would make, and I am sure my honourable friend realizes this, is that the 60th percentile figure that he is referring to is the ceiling for affordable. It is the figure all the way down the line. He knows as well as I do that there are many, many people in this province, whether in rental housing or even in ownership housing, who are paying considerably less than that.

We have supported projects through the non-profit and private sectors, taking them to the Ontario Municipal Board, where the numbers are much, much less than the ones he quotes and the honourable member knows that.

GOVERNMENT FACILITIES

Mr Runciman: My question is for the Minister of Government Services and has to do with a decision by his ministry in respect to the public auctions warehouse in Mimico and the moving of the operations into Vaughan township. The Mimico location was very convenient. As I said, the warehouse was used for public auctions of surplus government furnishings etc. I wonder if the minister can explain why that move was undertaken, if the public was consulted and what the benefits are of making this move.

Hon Mr Ward: The member will know that the Ministry of Government Services is currently in the process of having to make a lot of decisions with regard to the location of its facilities throughout Metropolitan Toronto. Some of that of course is generated by the pressures that currently exist on the ministry for space immediately around Queen's Park.

We have looked at various aspects of our operations and we have made some determinations for relocations. It is done on a businesslike basis in terms of the availability of property, either government-held or leased, and those judgements are made in that context.

Mr Runciman: I would like to know what is businesslike about moving from a rent-free facility to one that is going to

cost taxpayers \$52,000 a month, or \$624,000 a year, and five years from now it goes up to over \$60,000 a month, or \$720,000 a year. Is that a businesslike operation?

We are talking about a convenient location that could be expanded. We are talking about an additional \$1 million of taxpayers' money going into renovating this facility. In my view, it is a scandalous and shocking misuse of tax dollars. We are talking about the economy deteriorating in this province. It is time for this government to be tightening its belt, not doling out \$52,000 cheques of taxpayers' money every month. Let's hear some real, meaningful justification for that kind of move.

Hon Mr Ward: As usual, the member is looking at a specific item and a specific facility with tunnel vision. Surely he would recognize that in some of the moves that have to be made in terms of clearing the east of Bay lands and in terms of accommodating the pressures that exist in the Queen's Park precinct around the Whitney Block and the Macdonald Block, obviously there will be some restructuring and some relocations. I would suggest that those decisions are being made in a prudent, cost-effective manner and will continue to be so made. He will have to look at the broader picture in order to make that determination.

STATUTE OF LIMITATIONS

Mr Mahoney: My question is to the Minister of Municipal Affairs. I recently had a meeting with some potential home buyers in Mississauga who were involved in a situation where their closing dates had passed by but the subdivision was actually never given draft approval by the city and therefore the homes were never built. They tried to commence a provincial offences prosecution under the Planning Act, 1983, but were surprised to be informed that the statute of limitations, which is six months, had expired.

In light of the many examples of the sale of unregistered lots throughout the province, would the minister consider reviewing the statutes of limitations under the Planning Act, 1983, as they relate to commencing a provincial offences prosecution, with a view to possibly extending the limitation period from six months to two years?

1440

Hon Mr Sweeney: My honourable friend is correct that under the Provincial Offences Act there is a six-month limitation. At the present time, we do not have a provision within the Planning Act that would override that, but we certainly could put an extended period of time in that act. Given the fact that, as a general rule, specific pieces of legislation override general pieces of legislation, that would be one way of overriding the Provincial Offences Act. Given the other fact, as my friend has indicated, that this is not the first time this particular situation has occurred, that is something we would be prepared to look at.

Mr Mahoney: In light of the current backlog in building permits and subdivision approvals in the planning departments of many high-growth communities such as mine, an extension of the limitation period would offer the potential home buyer more protection as well as more realistically reflecting the time frames of today's building sectors. Can the minister assure this Legislature that consideration will be given to amending the Planning Act, 1983, in order to more accurately reflect today's market?

Hon Mr Sweeney: Yes, I would be prepared to give that consideration. But I would also draw to my colleague's atten-

tion that the Attorney General's office is at the present time doing a review of the various provincial prosecution policies, and it would perhaps be worth while for me to consult his office to see whether we could roll those two activities together and whether there might be a more appropriate way to deal with it; if there is not under that particular mechanism, then I would take my colleague's request under serious consideration.

ABORTION LEGISLATION

Mr R. F. Johnston: I have a question for the Attorney General. Last week he met with the other attorneys general as well as the Minister of Justice. On their agenda, I believe, was the issue of the new abortion law and how it was going to be implemented in the various provinces etc. I raised a question earlier with him about third-party interventions. I wonder if he has any report he would like to make to this House in terms of the outcome of those meetings, because I have seen no indication in the press and I have heard no statement in this House at this time.

Hon Mr Scott: The provincial conference of attorneys general, which the honourable member knows is an annual event, was addressed by the Attorney General of Canada. She did touch on the subject of the new abortion legislation. The points she made were really two. She gave an account of the history of the legislation and made the case that I believe she has made in the House of Commons, that she and the government of Canada believe it to be the appropriate policy response to the issue that confronted them. She went on to explain that she expected attorneys general in the provinces would enforce this law as a public matter in the same way as they enforce other laws. There were no questions of her on the subject and that was the end of the report. Following the meeting—I will save “following the meeting” for the supplementary.

Mr R. F. Johnston: Perhaps the minister could tell us what happened following the meeting.

Hon Mr Scott: My honourable friend, in his retirement years, will be an expert at Jeopardy; there is no question about that.

Following the meeting we were asked by the press what it meant that we would apply the Criminal Code in the normal way. I made the point that while it was theoretically possible for any individual in the province to approach a justice of the peace for the purposes of swearing an information, as a matter of public policy in Ontario the Attorney General's office takes over all such prosecutions. In the province there are no private prosecutions of significant Criminal Code matters, which would include this. I made it plain that we would continue with any prosecutions that were based on reasonable and probable grounds—likely to lead to a conviction—and would, as we now do, terminate all prosecutions that, either by withdrawal or stay, we believed were not based on such grounds. Our role under the Criminal Code was to enforce the law; it was not to intimidate or harass anybody.

POST-SECONDARY EDUCATION

Mrs Cunningham: My question is for the Minister of Education and Skills Development. I am looking at some Statistics Canada research that relates to full-time students at Canadian post-secondary institutions in selected disciplines.

As the minister is responsible for training young people in this province, where we are very interested in competition in the global economy and in research and development for

Canada, I would ask him if he would be somewhat concerned about the numbers of full-time students at Canadian post-secondary institutions in the field of computer science. In 1983-84 there were over 12,000 students in universities and in 1987-88 just over 8,000; that is a 33% decline in growth. In colleges we are looking at the same trend, from 35,000 full-time students down to some 25,000 full-time students over a four-year period, a decline of some 27%.

Is the minister concerned about this trend, and what is he going to do about it?

Hon Mr Conway: I thank my honourable friend for a very good and timely question. Yes, I do share her concern, and the government shares the concern. That is why, over the last very few years, we have undertaken a number of very specific initiatives to improve upon the participation rate of both young men and women in areas of science, technology and engineering generally.

As a result of the Premier's Council's last report, as the member knows, we have proceeded with the centres of excellence and the university research incentive funding. We have just announced a number of so-called linkage arrangements, particularly between colleges and high schools, to improve the participation in high school and in college in the trades and technology area. We have just completed a very successful counselling conference. Those are four initiatives. We have got to do more, and we intend to do more.

We look forward to community-minded individuals, like my good friend from London, ensuring that attitudes change in her household, in her neighbourhood and in her community, because the government can only do so much; it must act in partnership with labour and with business. Parents have a very important role to play to ensure that their daughters and sons recognize the first-order importance of and the opportunities within science, engineering, trades and technology.

Mrs Cunningham: There is a decline in response on behalf of young people as they move into the field of computer science. That is what I was trying to say today. That is now a reality in our workplace. If we take a look at researchers in workplaces across the world, Canada is number eight, behind Japan, the United States, Norway, Sweden, France and Australia. We have only 4.3 persons per 1,000 doing research in a country that is supposed to be promoting research and development.

The minister knows we are not making gains, and the kinds of programs he is promoting are the same kinds of programs we have been promoting in Ontario for the last 10 years. As the minister responsible for skills development, what is the minister going to do in a new way to relate to the real concerns not only of parents but of students in Ontario?

Hon Mr Conway: One of the things that separates a Liberal from a Tory is that a Liberal is fundamentally more optimistic than our pessimistic Tory friends. I do not share my honourable friend's pessimism about the capacity of individuals and communities within this Upper Canada of ours to adapt to the requirements of the 1990s and beyond.

I indicated a number of very specific initiatives that the government has already taken. I have not indicated, for example, that we are embarked upon a major restructuring of elementary and secondary education, which reform and restructuring I know my friends the member for London North and the member for Burlington South will support both here and out in the hinterland, because we recognize that right across both

education and other aspects of the community we have got to prepare the way.

I tell my honourable friend that we intend to meet the challenge, and we intend to meet it in an optimistic and forward-looking way, whether she and her sad-sack Tory friends see it that way or not.

1450

HOSPITAL FINANCING

Mr Owen: I had a question for the Minister of Health, but in her absence I will direct the question to the Treasurer. The Treasurer will recall that this government has made a commitment of \$60 million towards the construction of a new Royal Victoria Hospital in Barrie. One of the Barrie media has recently raised and conjectured what will happen when the tendering process is completed, which should happen fairly soon, as to the increased cost because of inflation.

I have tried to reassure them that we will work it out, that it has been done on other projects and that it will be done here, but that we cannot be responsible and give a blank cheque for whatever the amount may be and the complications that might have for the tendering process. Is there any comment the Treasurer could offer with regard to the question raised by the media and my response to that question?

Hon R. F. Nixon: I thank the honourable member for notice of the question, because I have had a chance to speak with the Minister of Health specifically about the Royal Victoria Hospital in Barrie that he refers to, and I particularly appreciate his advice in the matter.

The Minister of Health indicated that inflationary costs are carried up to the time of tendering and then beyond that when the construction is completed, depending on what the experience is. The Ministry of Health has to carry on, and always does, a discussion with the board of the hospital and come to a suitable arrangement. The approval for the hospital is without question. The honourable member would know that from the consolidated revenue fund in general there has been close to \$1 billion assigned for hospital capital since 1985, so there has been a tremendous expansion during that period of time.

Mr Owen: The same media have raised another issue this week with regard to the expanded regional health review that is taking place. Everyone I have talked to is for the expanded health review, but they are suggesting that this would possibly delay the tendering of the new hospital. I have reassured them that this is not expected. I hope there will be no delay in the tendering, but certainly I have tried to reassure them that the expanded review is not going to be a factor in any delay. Again, I would ask for the Treasurer's response to this particular question and to my response to the media with regard to the question.

Hon R. F. Nixon: I had an opportunity to speak to the Minister of Health this morning after the honourable member gave me notice of this question, and she told me that from the standpoint of the Ministry of Health the construction of the new Royal Victoria Hospital is expected to progress on its current schedule. She was as specific as that and I do not believe any additional assurances are necessary.

She did, however, tell me something that the honourable member is probably aware of, that in her duties in going out to the communities and discussing these matters, she hopes to be in Barrie in the next few weeks—in a couple of weeks, as a matter of fact—and will be able to make those assurances in

person. In the meantime, I make them on her behalf and on behalf of the Treasury.

POLICE PRACTICES

Mr Kormos: I have a question to the Solicitor General. Some time ago Wade Lawson was shot by Peel Regional Police officers. Since the shooting, criminal charges were laid against two of those officers and those charges are still pending. Since shortly after the shooting, police officers in Peel and perhaps elsewhere began sporting or wearing buttons saying, "We support 1139 and 1191." Those are the badge numbers of the two police officers currently facing serious criminal charges with respect to the shooting death of Wade Lawson.

Nobody is going to deny any citizen the right to support someone accused of a crime if he or she wishes, but police officers surely should not be doing so while acting in their official capacity. Police officers have persisted in wearing these buttons while acting in the course of their duties and in uniform. Does the Solicitor General consider this appropriate behaviour by those police officers wearing those buttons?

Hon Mr Offer: In response to the question, I think the member will recognize that there are currently, under the Police Act under which we operate, certain limitations in dealing with matters such as the one the member quite properly brings out. I can assure him that part of this new Police Services Act, which is now before the House, deals with the whole question of police uniforms. That is an issue which we can address and which we intend to address upon the passage of the Police Services Act.

Mr Kormos: An incredibly gutless position, a non-position by this minister. The simple fact remains that any member of the public has the right to deal with a police officer without fear that the police officer has taken sides on what is a highly charged issue, yes, connected with race and allegations of racial prejudice. The fact that individuals in Peel and perhaps elsewhere have to be confronted by police officers, with those police officers appearing to have taken sides with persons charged with serious criminal offences, is an affront to any fairminded person here in Ontario.

What is this minister, what is this Solicitor General going to do to make sure that this does not continue, that these police officers are not permitted to wear those buttons or those badges, while they are on duty in uniform, supporting two criminally charged persons?

Hon Mr Offer: In response to the honourable member's question, I think he should be aware that of course we are very sensitive and recognize the concerns of those who see officers wearing buttons such as the member has illustrated, but I think it is also important for the honourable member to recognize that we have in this province a Police Act that prescribes a proper procedure.

In dealing with the specific question the member raises, it is important to note that particular question has been referred to the Ontario Police Commission, under section 58 of the Police Act, where it is and ought rightly to be decided. That is my role and responsibility as a Solicitor General, to make certain that the provisions of the Police Act are in fact complied with. We have before this House a new Police Services Act which will reflect the realities and the ongoing sophistication of policing in this province. I look forward to receiving the support of the member's party when the Police Services Act is brought forward.

RESPONSE TIME

Mr McCague: I asked for and was able to obtain the assistance of the Chairman of Management Board in telling me how long it takes for each ministry to answer a letter. I note that it takes the Minister of Northern Development five weeks to answer a letter. Can he explain to me why it takes so long?

Hon Mr Fontaine: I want to remind the member for Simcoe West that northern Ontario is far away from Toronto, and the postal service is not that good. Usually it takes about 20 or 25 days to answer letters because I receive them here and then they are returned to the region. There are two regions. There is one in Sault Ste Marie and one in Thunder Bay. As the member knows, that is the time it takes my ministry. Usually it is 20 or 21 days. Sometimes it takes five weeks. That is the time.

Mr McCague: I did not ask the minister how long it took to send it or to get it there; it is how long it took him to write it. Does the minister think that now an election is imminent, he will be able to speed that up a bit?

Hon Mr Fontaine: First of all, if it is a letter for a grant, like I said a moment ago, and to repeat myself, that goes to the region. Sometimes it goes to the subregion, so it takes time. A letter to me, it is the same thing, I have to send them to the region for a reply. I do not write my own letters. As the member knows, it is somebody else. I am sorry if it took five weeks. I am going to try to do a better job in the near future.

1500

EDUCATION FUNDING

Ms Poole: My question is for the Minister of Education. In Education Toronto, which is a newsletter put out by the Toronto Board of Education, the Toronto board recently attacked the provincial government because local taxpayers pay the entire bill of running our schools in Toronto. The Toronto board said that this is unfair and that the province should be picking up part of this tab.

Although I support the Toronto board on many of the issues it raises, particularly with its fine programming, on this one I have a great deal of difficulty. I think it is dead wrong. I would like, for the record, the minister to explain to the Toronto Board of Education why the provincial policy on education funding is fair.

Hon Mr Conway: I thank my honourable friend for her question. As I have indicated in this House on previous occasions, the basic principle of the province's education grant formula is the principle of equalization. The province is determined to provide every child in every part of this province with an equal opportunity to a quality education. The city of Toronto, for example, is well known to have an enormous industrial and commercial assessment base. I must say that it is a much, much greater industrial and commercial assessment base than will be found in communities like Mount Forest, Parry Sound, Alliston or certainly Pembroke.

The province over the last five years has increased its operating support by over 50%, from \$3 billion to \$4.5 billion. It is true that in the city of Toronto, where education taxes compare very favourably, I might add, with communities like Pembroke and Mount Forest and Alliston and North Bay, the community is able to draw on one of the very strong industrial and commercial assessment bases. At the provincial level, we think that in the interest of equalization, that is not an unfair policy to have and to support.

PETITIONS

VILLAGE OF BELMONT

Miss Roberts: I would like to present a petition signed by 77 residents of the village of Belmont, addressed to the Legislative Assembly of Ontario, requesting the Lieutenant Governor in Council to commission an inquiry per section 180 of the Municipal Act, as to part II of the Public Inquiries Act, as to the improper conduct of the village of Belmont's affairs. I affix my signature per the standing order.

RELIGIOUS EDUCATION

Mr Miller: I have a petition from the Coalition for Religious Freedom in Education. "to the Legislative Assembly of Ontario:

"Whereas the regulation pertaining to religious education in publicly funded schools was struck down by the Ontario Court of Appeal, and

"Whereas section 50 of the Education Act gives parents the right to choose what kind of religious education their children shall receive, and

"Whereas the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms guarantee equality rights to all Canadians, and

"Whereas the 1948 United Nations Universal Declaration of Human Rights, which has been endorsed by Canada, states that 'Parents have a prior right to choose the kind of education that shall be given to their child, (S. 26, s. 3)'

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We respectfully request that the government of Ontario provide publicly funded religious education programs and alternative schooling on an opt-in basis to all parents in Ontario, thus enabling them to choose the type of education which they believe to be most beneficial to their children."

It is signed by 10 names of my constituents and is signed by myself.

REPORTS BY COMMITTEE

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Mr Chiarelli from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 107, An Act to revise the Police Act and amend the law relating to Police Services.

Motion agreed to.

Bill ordered for committee of the whole House.

Mr Chiarelli from the standing committee on administration of justice presented the following report and moved its adoption:

Report of Submissions on Police Services and Race Relations.

Mr Chiarelli: On 17 May two matters were referred by the House to the standing committee on administration of justice, the first one dealing with Bill 107 and the second dealing with the task force report on police services and race relations. The second report that I just presented had to do with the observa-

tions and recommendations of some 56 deputants before the justice committee. They were just presented separately.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr65, An Act respecting the Township of Plympton;

Bill Pr68, An Act respecting the Township of Front of Leeds and Lansdowne;

Bill Pr78, An Act respecting the City of Mississauga.

Your committee begs to report the following bills as amended:

Bill Pr70, An Act respecting the Human Resources Professionals Association of Ontario;

Bill Pr88, An Act respecting the Town of Niagara-on-the-Lake.

Motion agreed to.

Mr Callahan: I want to thank the Chairman who sat in for me this morning.

SELECT COMMITTEE ON CONSTITUTIONAL AND INTERGOVERNMENTAL AFFAIRS

Mr Furlong from the select committee on constitutional and intergovernmental affairs presented the following report and moved the adoption of its recommendations:

Report on the 1990 Constitutional Agreement.

Mr Furlong: By resolution of this House on 11 June, our committee was asked to review the 1990 Constitutional Agreement signed on 9 June at Ottawa and to report to the House today.

The committee held public hearings in Toronto, Ottawa, Sudbury and Windsor. After holding the hearings, reviewing the report of the 1988 select committee on constitutional reform and reviewing the 1990 agreement, the majority of the committee supports the five recommendations contained in the report.

The committee is grateful to all of those who appeared before the committee and we thank them for their contribution. We also thank those who submitted written reports.

The committee is also very indebted to our clerk, Deborah Deller. She performed miracles over the last 10 days. We certainly applaud her and her staff for their efforts. We also appreciate the contribution of our researchers Philip Kaye and Andrew McNaught.

Finally I would like to thank the members who sat in on the hearings for their support and co-operation.

On motion by Mr Furlong, the debate was adjourned.

INTRODUCTION OF BILLS

FIRE MARSHALS AMENDMENT ACT, 1990

Mr Offer moved first reading of Bill 228, An Act to amend the Fire Marshals Act.

Motion agreed to.

The Speaker: I believe the minister made a statement earlier. Do you have anything further?

Hon Mr Offer: Yes, just a few remarks.

This act will amend the Fire Marshals Act to enable the fire marshal and his assistants to take more timely and effective action to address potentially serious situations affecting the environment and public safety. These amendments will fulfil the government's commitment made in March to develop mechanisms to permit the fire marshal to intervene more immediately and effectively without the need to wait for time-consuming appeals.

Many situations that are fire hazardous could pose a threat to public safety if a fire should in fact occur. These amendments will permit effective preventive action to be taken in those circumstances.

1510

CITY OF THUNDER BAY ACT, 1990

Mr Lupusella moved, on behalf of Mr Kozyra, first reading of Bill Pr92, An Act respecting the City of Thunder Bay.

Motion agreed to.

CITY OF NORTH YORK ACT, 1990

Mr Polsinelli moved first reading of Bill Pr84, An Act respecting the City of North York.

Motion agreed to.

EMPIRE CLUB FOUNDATION ACT, 1990

Mr Polsinelli moved first reading of Bill Pr87, An Act to revive the Empire Club Foundation.

Motion agreed to.

CITY OF KINGSTON AND TOWNSHIPS OF KINGSTON, PITTSBURGH AND ERNESTOWN ACT, 1990

Mr Keyes moved first reading of Bill Pr97, An Act respecting the City of Kingston and the townships of Kingston, Pittsburgh and Ernestown.

Motion agreed to.

CITY OF VANIER ACT, 1990

Mr Grandmaître moved first reading of Bill Pr82, An Act respecting the City of Vanier.

Motion agreed to.

DINORWIC METIS CORPORATION ACT, 1990

Mr Miclash moved first reading of Bill Pr93, An Act to revive Dinorwic Metis Corporation.

Motion agreed to.

SIOUX LOOKOUT DISTRICT HEALTH CENTRE ACT, 1990

Mr Miclash moved first reading of Bill Pr59, An Act respecting Sioux Lookout District Health Centre.

Motion agreed to.

ORDERS OF THE DAY

CONSTITUTIONAL ACCORD

ACCORD CONSTITUTIONNEL

Hon Mr Ward: Prior to moving the motion, I would like to indicate that there has been discussion among the House leaders and I would seek unanimous consent that the time be divided for the balance of the afternoon equally among the three parties and the vote take place at 5:45.

The Speaker: You have heard the request made by the government House leader that the time be divided equally and a vote be called at 5:45.

Agreed to.

Mr Ward, on behalf of Mr Peterson, moved resolution 34:

That the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by His Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto, but only after the Constitution Amendment, 1987 comes into force [See Votes and Proceedings for text of schedule].

M. Ward, au nom de M. Peterson, propose la résolution 34 :

Que l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe, son entrée en vigueur ne pouvant toutefois précéder celle de la Modification constitutionnelle de 1987 [Pour le texte de l'annexe, voir les procès-verbaux].

Mr Allen: I rise to address the resolution that the government has placed before us with respect to the ratification of the agreement that the first ministers came to in a very trying series of negotiations over one week's time in Ottawa two weeks ago.

Anyone who believes that history is the dead past and not a living thing would have had to eat his words and be shocked wide awake over the course of the last few weeks and the political and constitutional developments in this country. We have been debating for three years a major constitutional proposition that arises directly out of the historic relationship and problems between French and English-speaking peoples in Canada.

That, for those on the French-speaking side of that debate, arises in a most poignant way, out of their centuries-long attempt to establish themselves as an equal people, overcoming the psychological, cultural and political handicaps of having found themselves, in the middle and later 18th century, a conquered people delivered into the hands of another country. Even though that country was generous in its accommodation in the first years of that new regime for French and English, none the less the psychology has persisted. Indeed, as one writer in Quebec recently recounts, one could still grow up in the Saguenay Valley and not discover until one was six years of age that there were any but French-speaking people in Canada, or even discover a few years later in school that there were indeed more English-speaking than French-speaking in Canada. So on the one side of the recent debate there has been an attempt to establish legitimacy, fullness and historical recognition.

At the same time as we find ourselves towards the end of a most trying series of negotiations, we suddenly discover that the aboriginal peoples, whom both French-speaking and English-

speaking dispossessed and forced to become kind of prisoners in their own land, have taken charge of the agenda, and where there appeared to be a moment of hope that there would be a breakthrough in the logjam between French-speaking and English-speaking, between English-Canada and Quebec, that now appears to be almost—though we hope not—a doomed prospect.

At the same time the dénouement of that issue is taking place in two provinces, one with a historic unease, unusual perhaps for most Canadian provinces, but a historic unease about the nature of the presence of French in Canadian life, and, on the other hand, on an island recently associated with the country but for centuries isolated and on the periphery of the Canadian landscape.

1520

That history is all coming together in a most dramatic and tragic moment, and we in Ontario find ourselves today in the midst of that encounter, trying to play in some significant measure through all of our parties, trying to provide some kind of bridge, some avenue, some openness, some communication which we hope may still work. That is why it is important this afternoon that we ratify this particular proposal and resolution. It is not because we are happy with the process. The Attorney General and others may say that the process was dictated by 1982, and in a certain measure that is right: it was a new constitutional amending process and it did give it over to first ministers. But one has seen how too readily the first ministers' meetings have been conducted, with no required reference to public hearings, with occasional public hearings in some provinces, some more ambitious than others, but with no mandated public input into the process.

If there is one good result that may come out of this whole trying experience, it is that at least there now appears to be some universal resolve that that amending process has to be changed. There has to be required public participation. It has to be staged in and phased in with first ministers' conferences in such as way as to allow feedback and interaction between the upper political, the legislative and the public domains.

Again in that context, we have just been through some hearings in Ontario in the last few days. Some will say—and some are my colleagues—that was a pointless process because the end was foreordained, predetermined. Confronted with a first ministers' agreements such as was brought together in Ottawa and which, from my perspective at least—and others may disagree—appeared to be the only combination of elements that could bring forth a national position, this committee went out, perhaps in a pointless exercise because there would be no ultimate effect upon that particular position that was predetermined. But there were some at least who came before us who felt thankful to have the opportunity, if only to speak their mind and protest. There were others who said it is important that the public process of public debate be continued and be available to the public, even when it only provides opportunity for protest. Certainly some groups, like women and aboriginal organizations, came and insisted upon laying before us still further agendas of constitutional reform beyond those that they presented to us in Ontario at an earlier date.

But one cannot take the present set of hearings that are being reported to us today in a tabled document in a separate fashion from the earlier hearings in Ontario, in 1988. One would have to say that those hearings, opened up by the Legislature beyond the original mandate of the Meech Lake focus to the whole spectrum of constitutional concerns in Ontario,

provided this province with a major opportunity to express their minds on the Constitution and the issues that concerned them, to which hundreds of people addressed themselves.

We passed the document, supported a document, the select committee on constitutional reform's report in 1988, which in fact laid the groundwork for much that developed then in the rest of the country. It informed the New Brunswick Legislature and Premier's consideration of the question, provided the basis for the Charest report and provided, I think, the early lineaments that would lead finally to the constitutional agreement in 1990.

That was a creative role to have played, and we played it. There were some elements in it that we did not anticipate becoming important to debate in substance at that time, because we expected to come back to them. One of them was the matter of the Senate. I would only say in that regard, to those who are uneasy about the Senate proposal, that there have been 11 studies of the Senate in the past 20-some years. None of them leaves Ontario with more seats in the Senate than the fallback position the Premier subscribed to and was instrumental in offering in Ottawa.

For those who are concerned about the increased status of that fallback Senate, should it become an elected institution in the far future, constitutional advisers and specialists on the subject at least tell us that a senator elected for life is no better than a senator appointed for life, because there is no feedback and exchange with an accountable constituency. In fact, he may be an even greater absurdity, and therefore there is much incentive not to pursue that option.

What I wish to say today, speaking not just for myself but for the majority of the New Democratic Party caucus, is that for all the problems we have had with the process, for all the matters that remain undone, we are convinced that there is no reason why this Legislature should delay in ratifying this resolution and in seeing ourselves through what we hope will still be the end of the Quebec round and launch ourselves into a more open process to address the major issues of aboriginal rights, women and the Constitution, multicultural groups and the issue of the Senate in future years.

The Acting Speaker (Mr Cureatz): It is my understanding that there will be no questions and responses, so that we have direct time allocation. Is that agreed to?

Agreed to.

Mr Eves: It is a pleasure to rise and speak as a member of this committee since its inception in 1987 in the Ontario Legislature, at least on my own behalf, and I think on behalf of some of my colleagues, with respect to the proposal that we see before us today.

I would like to say at the outset that our caucus will be having a free vote on this issue, as indeed we did when we voted on the last report of the select committee on constitutional reform before this Legislature on the Meech Lake accord. I feel very strongly, and I have conveyed that to my caucus colleagues on several occasions, that there are some votes in legislatures and parliamentary bodies that I think should always be free votes, that certainly rise above and beyond the issue of partisan political stripe. I cannot think of a more significant issue to do that on than the issue of one's own Constitution in one's own country. I can think of other moral matters that should be free votes as well, in my opinion, but we will save that for another day. Suffice it to say that I think the issue of a country's Constitution certainly should rise above partisan politics.

I also rise today to tell members that I was one of eight members of the Ontario Legislature who voted against the Meech Lake accord in June 1988. I did so because I thought that document was severely flawed in several respects. I am here today to say that some of the recommendations that the predecessor of this committee made to the Ontario Legislature and the Ontario public, and indeed to all the first ministers in this country, have been adopted by the 1990 constitutional agreement, otherwise known as a companion resolution, which will in effect have the effect of amending the Meech Lake accord of 1987.

I can recall back to that debate in June 1988 where several individuals, including, I believe, all the first ministers of the day, indicated that not one comma, not one word in the Meech Lake accord could ever be changed. It had to be passed as is. We are here today, rather ironically, on a motion of our first minister, who also said that not one comma could ever be changed, voting on the changes that he agreed to make in Ottawa on 9 June this year.

So there is hope that we can have some impact and some effect in what we say as legislators and voice the concerns that many citizens across this province voiced to the predecessor of this committee and, in the last few days, the concerns that those who had time or notice made in the last week to the current committee of the Ontario Legislature.

1530

I also understand the reason for the Premier and the government wanting to pass the 1990 constitutional agreement, or the companion resolution section of it at least, as an act of good faith to the two provinces that have yet to adopt the Meech Lake accord. It is interesting to note, however, that there are legally three years from the time that the first legislative body in Canada adopts the 1990 constitutional agreement for all other legislatures and all other legislative bodies in Canada to adopt the same. That is how we got the deadline of 23 June 1990 for the Meech Lake accord in the first place.

I want to say a few words about process, because I think that process is probably the most common complaint that we as legislators heard both in 1988 and in 1990. We heard that people did not really have any direct input; there was no public consultation to the process. The 11 first ministers met behind closed doors, made a deal, made a pact that it could not be changed; their job was then to go out and sell it not only to their legislatures but to their respective bodies—the provinces or, in the case of the federal government, Canada-wide, I suppose.

We were told today in the Legislature in question period by the Attorney General that they did not invent this process, which is true. It was started in the 1982 Constitution Act. I understand that. I understand that we cannot change the Constitution without the 11 first ministers of this country meeting. But I also understand that the predecessor of this committee in June 1988, fully two years ago, recommended to this Legislature, to this government and to the people of Ontario that never again should we ever have another meeting of 11 first ministers, which we have just had about 10 or 11 days ago, where anybody went to that meeting on behalf of the province of Ontario and made a deal around a table with 10 other first ministers without first getting public input. Despite the fact that that recommendation was made over two years ago, that is exactly what happened in Ottawa about 11 days ago, with all due respect to the Premier of this province.

The report of this committee in 1988 was totally ignored by the government. That a standing committee be set up immedi-

ately in June 1988 was ignored by the government. The whole public consultation on future changes to the Constitution Act and to the Meech Lake accord was ignored by this government. We went down to the 11th hour again.

I do not blame just the first minister of this province. I blame every single one of those 11 first ministers. They did not get the message two years ago. I presume the Premier is familiar with the game of baseball. Three strikes and you will be out. Those are two strikes now that all 11 first ministers share equally. The blame is not on the Prime Minister of the country. It is on every one of those 11 first ministers equally, because they all had the opportunity to have public input, discourse and discussion about any future constitutional changes they would want to make, which they are now making and which two years ago they all swore up and down they would never make.

Now that we are getting down to the 11th and a half-hour, they are scurrying around trying to make a deal at the last minute. If they had put as much effort in the last two years to resolving the differences and concerns that Canadians had all over this country about the Meech Lake accord, we would not be scurrying around at the last minute. The aboriginal people would not be forgotten people. We would be well down the road to Senate reform. A lot of these difficulties would have been addressed in the last two years in a constructive fashion instead of trying to sell them like a used car salesman at the last moment to the people of Canada.

Mr Daigler: You don't believe that yourself.

Mr Eves: Yes, I certainly do believe that.

I have said enough about process. I would concur with the remarks made by my colleague the member for Hamilton West with respect to Senate reform. This committee of the Ontario Legislature is committed to Senate reform. We did not spend a great deal of time on the overall substance of comprehensive review of Senate reform in the first existence or incarnation of this committee because we were, quite frankly, more directed towards the Meech Lake accord and the particulars in it. But everybody who sat on this committee since 1988, and I believe there are at least three of us who remain consistent, knows that any Ontario government has always been committed to the idea of Senate reform.

I applaud the move that the Premier of this province made with respect to breaking the impasse in Ottawa 10, 11 or 12 days ago. I am sorry he did not have the opportunity of public input, but I have already spoken to that with respect to the process. I do believe it is important that Ontario, which has always been a leader in Confederation, remain a leader in Confederation and reach out to those perhaps less populous provinces in more diverse regions of Canada and extend to them the courtesy and the tolerance that we as Ontarians have always shown towards the rest of Canada. We have always been a leader, and I think it is very important that we continue to be so.

Moving on to the issue of aboriginal peoples, which is also addressed in the committee report just tabled this afternoon, they are truly the forgotten people in this whole process. They have been forgotten now for many years. Ontario, I must say, has always led the way with respect to native or aboriginal issues in this country. We have certainly led the way with respect to native self-determination in this country. If it was up to Ontario, we would have had native self-government in this country going back to the mid-1980s.

I know something about that because in 1985 I was the minister responsible for native affairs in this province. I was the

first minister in Ontario's history, despite the fact that the current Attorney General likes to take credit for this, to enunciate at a first ministers' meeting and at a native affairs conference in Ontario that this province was committed unequivocally to native self-government and letting Canada's first people determine their own way in the country which is theirs. Until we get that through our heads, we are going to continue to have difficulty with the issue of aboriginal rights in this country.

The province of Ontario, as I said, has always led the way. I am convinced, regardless of the political party in power, that we will continue to lead the way. Perhaps by bringing Quebec on stream as a full partner in the Canadian Constitution, we will have another very significant voice in it. I know Quebec is as deeply committed as Ontario to native self-determination throughout this country.

I just want to try and wrap up briefly with respect to the committee's report regarding the Canada clause. Both in 1988 and again this time during our six days of deliberations, we have heard concerns from the multicultural community, from women's groups, from aboriginal peoples. Surely they are all fundamental characteristics of this great country that we call Canada and they should all be incorporated in a Canada clause. That is what the recommendation of our committee is again with respect to the Constitution of this country.

I must say that although I still have some reservations about the Meech Lake accord, even as amended by this 1990 constitutional agreement, and although I have reservations about the process and the time and the way it is being put to a vote before 23 June of this year, as a Canadian I feel I have no choice but to vote for this agreement, because I think upon that hinges the future of this great country that we call Canada.

I think there are still some imperfections and, hopefully, in future rounds of constitutional debate, those will be addressed. We have been able to get a commitment of the 11 first ministers of this country with respect to some of the concerns we identified and, hopefully, the others will follow.

I think we have all learned a lesson from this process. I hope that every single legislator in every single province and every single member of the House of Commons has learned that never again should we take the people of this great province or this great country for granted when we are changing their Constitution.

1540

Mr Furlong: I am pleased to rise this afternoon to make some remarks on this very important resolution. I have been privileged to be Chair of the select committee on constitutional reform and I am delighted that we were able to come to an almost unanimous report.

Several weeks ago, before the Prime Minister and the premiers met in Ottawa, I held great concern for what might happen to this nation. I am first and foremost a Canadian. I believe that what is good for Ontario is made better by the fact that we are part of Canada. I was worried, as most others were, that a resolution would not be forthcoming. Today as I speak, I cannot say with certainty that a resolution will be forthcoming prior to 23 June.

In February, the select committee, as was already mentioned, began a consultation process on Senate reform. Like many others, I thought I knew quite a bit about the Senate. I found, however, that I was somewhat naïve. I was naïve in that I did not appreciate the significance and the perception that Senate reform had for some of the provinces of this country. I came to realize that the problems this country was facing were

not only Meech Lake or the Quebec round but that we were facing many other difficulties.

When the Prime Minister and the premiers arrived at their communiqué on 9 June, like many other Canadians, I was delighted. I cannot say that I was pleased with the process, and I think it is fairly clear, based on the committee hearings we have experienced over the last week, that many other Canadians share that view. In fact, the Prime Minister and all of the premiers have also indicated that they were not in favour of the process and that they hoped it would not happen again.

We, the committee, certainly heard that position being made over and over again, statements like: "The Constitution belongs to the people. There must be a democratic process in order for it function properly." The committee report dealt with process and has recommended the permanent establishment of a standing committee on constitutional reform. The committee has gone one step further in that it has asked that the first priority of that committee be to establish a process for future constitutional reform.

Another item surprised me at committee hearings. Although it was short notice, I am one of those who believe that the hearings were very helpful. They were helpful because I became more aware that the Meech Lake accord and the communiqué signed 9 June are not always fully understood by the population.

We had a number of citizens who came before us who did not have time to prepare formal documents so they came and spoke from the heart. What they said made an impression. They asked to be better informed and I think we as a Legislature, and the government of Canada, must in future constitutional debate do that.

The aboriginal issue, which has certainly been front and centre in the last week, particularly with the activities going on in Manitoba, was also something that perhaps I misunderstood. Certainly I have now a very strong appreciation for the concerns of the aboriginal peoples and also the aboriginal women.

In the briefs that were presented to us they were factual, their concern was real, and I am pleased that the province of Ontario has taken some initiatives in the determination of self-government. I agree with comments made earlier that this process must continue and Ontario should take a lead and try to encourage all other provinces to treat our native people fairly in constitutional matters.

On the issue of Senate reform, we did hear some comments about what was talked about as a giveaway of the six Senate seats. But I think the concerns were more in the line of the consultation and the process. Citizens who appeared before us were concerned that Ontario was giving something up. We were told by experts, by those who were representatives of Ontario, who were there in an individual capacity representing themselves, who were providing advice to the Premier, that the idea of giving up the Senate seats broke an impasse and was perhaps responsible for the talks continuing, so that the final communiqué could be arrived at.

I applaud the Premier for his initiative in the situation. I am pleased that the effort that he made did show the support of Ontario, that we are committed to meaningful Senate reform, that we are not just talking. Again today, having this resolution before the House to be passed before the 23 June deadline, I think is an act of good faith to show to those provinces that we are serious. I know that New Brunswick has already introduced and passed this resolution and I understand that Nova Scotia, which is also giving up two Senate seats, will be doing the same before the end of the week.

I also want to do two more things. First of all, I would like to pay tribute to the 1988 select committee on constitutional reform. Clearly, the report of that committee formed the basis for the McKenna proposals and clearly, with the possible exception of the Ontario Senate position, all other issues were discussed and were recommended by that committee.

We have heard that perhaps the hearings over the last week were hurried and that we were talking about a done deal. The 1988 select committee perhaps felt somewhat the same. I think the result and the impact of that committee's report is now well known, and it is my hope that the resolutions and the recommendations of this committee will also serve, at least in the area of process, and that our recommendations regarding aboriginal people will be useful in the future.

I am very pleased to be standing here today to support this resolution and I urge all members to do so.

1550

Mr Wildman: I rise to participate in a debate in the same vein in which I participated in the debate in June 1988 in this assembly. At that time, I said that the people of Ontario, the people of English Canada, could say yes to Quebec without at the same time saying no to the aboriginal people, the people of the northern territories and the women of this country. I still maintain that position. That position has not changed as a result of the first ministers' conference and the agreement that was reached by the first ministers on 9 June in Ottawa.

I believe we should make clear in this Legislature and once again reaffirm this province's commitment to the legitimate demands of the people of Quebec for inclusion in the constitutional fold of this country and the linguistic duality of the nation. Having said that, I want to say, as a new member of the select committee on constitutional and intergovernmental affairs, that I do not share the views of the majority that the hearings process was in any way a useful exercise. We all know that there is no constitutional requirement that the 9 June first ministers' agreement be ratified before 23 June by this assembly. There is not only no legal requirement but the Premier has said in the House that there is no agreement and no commitment to ratify this quickly.

The work that the committee was given was important and historic. I want to say sincerely that I congratulate the Chairman and the committee members and the clerk and staff for their work. I believe that they attempted to deal with the issues in the best way they could, considering the time frame. I want to say I respect their position while I cannot accept it.

The Premier was determined that this assembly ratify before 23 June, so the committee was then stuck with a situation where we perhaps might not have held public hearings, but if we did not, then we would be accused of not seeking the opinions of Ontarians. Yet if we did, we had such a short time frame it might not be in any way meaningful. In my view, it was not.

It was impossible for the committee to canvass the opinions of Ontarians in such a short time. The Premier's determination that the committee should report and a vote be taken on a government motion today, in my view, perpetuated the pressure-cooker atmosphere around constitutional amendment, which is generally rejected by Canadians throughout the country.

Canadians reject the process of constitutional discussions that is carried on behind closed doors by the Prime Minister and the premiers in a crisis atmosphere of bargaining and horse-trading with little public input or accountability. As others have

said, the Constitution belongs to all of the people of Canada, not just 11 politicians and their advisers. Holding five days of public hearings in Ontario after the decisions have already been reached by the first ministers, without proper advertisement and notice, did not give the people of this province any real say in this amendment of our country's fundamental law.

In answer to a question I raised in the Legislature last Thursday, the government House leader made it clear that today the assembly would be voting on a government motion to ratify the first ministers' agreement, not the committee's report. Obviously the work of the committee and its report were never intended by the government to be of any great significance or relevance in the process of ratification in Ontario.

The Attorney General has argued before the committee that ratification this week by Ontario would encourage the legislators of Manitoba and Newfoundland to ratify the 1987 Meech Lake constitutional accord before the deadline. I think it is obvious to everyone that the developments in the Manitoba legislature since 11 June have certainly shown that whatever happens in this assembly has little or no relevance to whether or not that province ratifies the Meech Lake accord. There is absolutely no reason for the rush.

The representatives of the aboriginal people who appeared before the committee made it clear that aboriginals feel betrayed by this amendment process because they have been excluded. This was not a sudden discovery, or should not have been, for the committee members. We have gone through this process since the early 1980s. Today in the assembly, one of the members of the assembly got up and paid tribute to John Cabot as the discoverer of the eastern coast of North America. Right there, it shows the whole problem. Cabot did not discover America, and it is about time the assembly, the Constitution and the history books of this province recognize that the aboriginal people have been here for thousands of years. We are immigrants; they are not, and to have a Constitution that does not recognize that fact is, as the aboriginal leaders before the committee said, to include a basic lie in our Constitution.

I cannot accept that lie. It has been argued that we must fulfil and complete the Quebec round in order that we can recognize the legitimate claims of aboriginals to their rights and to self-government. The experience in Baie James does not give any aboriginal leader any confidence that the inclusion of Quebec in the Constitution will ensure the inclusion of aboriginal rights at any time in our Constitution.

The Premier has been credited with saving the discussion in Ottawa because of his offer to give up six Senate seats as a way of spurring Senate reform and giving some certainty to the provinces concerned about it. It is my contention that we, as a committee and as an assembly, cannot in any way predict what significance that offer might or might not have for this province, and the committee was not able to assess that adequately. It is time the people were consulted before first ministers of the provinces make such offers on the Constitution of this country.

I regret very much that the Premier has continued and perpetuated the pressure-cooker atmosphere around the constitutional amendment process. I regret very much that I was not able to join with the majority in the report. I regret that I dissent from that report, and that in support of my aboriginal sisters and brothers and the people of Ontario, while I welcome the inclusion of Quebec and hope for the inclusion of Quebec in the constitutional fold of this nation, I cannot support the first ministers' agreement.

Mr Jackson: I rise today to participate in this brief but very significant debate for Ontario's citizens and for Canada. I do that with the same degree of concern, fear and trepidation that I did when I rose in this House to speak in June 1988 on the Meech Lake accord itself. I believe that all members of this House have yet to learn that our constitutional matters are too important to be left solely in the hands of the members of this Legislature. In fact, matters dealing with the amendment of our Constitution clearly must require the legitimate input of the citizens who we serve, because I fundamentally believe that we derive the power that we are about to wield at six o'clock today purely from the consent of those we govern, and unless we are prepared to understand and give real life and meaning to that commitment, we will have failed our province, we will have failed our country, and I believe we will have failed our Constitution.

I want to suggest at the outset that I had the privilege of participating in what some have called public hearings. As several speakers have indicated, these were not public hearings for the select committee on constitutional and intergovernmental affairs. These could not be considered meaningful committee hearings to hear from the citizens of this province, because we did not advertise them. The fact is that in Toronto we listened to about 60 citizens over a course of three days. In Ottawa, in Sudbury and in Windsor we talked to fewer than 25 people in the space of less than 30 hours. In the city of Windsor, only two citizens came forward to speak at that hearing.

1600

How can we say that is a meaningful process where we have allowed the citizens of Ontario to participate in matters relative to the changing of our Constitution, the matters that were before the committee since the Premier emerged from what some have called the insane circus behind closed doors in Ottawa? What is it that we were charged with the responsibility of discussing? We were actually charged with the responsibility of discussing something that citizens in this province have not had an opportunity to discuss: a substantive issue of Senate reform. It is what we are voting upon today. It has less to do with Meech Lake, because this Parliament has already approved the Quebec round. This Parliament gave its approval. We are now looking at a new constitutional amendment from 1990, which some have referred to as an addendum, the final communiqué. It is the document which all Canadians witnessed the 11 ministers sign in the early hours of 9 June.

The fact is that Ontario citizens have not had time to tell us, as legislators, how we should vote on this issue. I am concerned when the committee chairman, the member for Durham Centre, who speaks with pride in the accomplishment that he has produced a report, which I was just handed a matter of a moment or so ago, is proud of the fact that his province has a great record with the native peoples and he compliments the fact that the report recommends a change in process.

The truth is that this chamber was given the advice almost three years ago that we not engage in this process, yet we have another report that says, "Let's never do this process again." If we betrayed that advice two years ago, and we have engaged in this charade of public participation when it was meaningless, then how can the member stand in this House and reassure us that by simply recommending it in a report, something is going to change?

The truth of the matter is that our Premier is conducting himself with the Prime Minister in a fashion that was developed in 1982, and we as a nation and all of our legislatures let down

the Canadian people when we allowed a process which specifically allowed a political élite in this country to make substantive decisions regarding constitutional amendment. It was made possible even further by the fact that the members of the political elite have the moral authority, in their minds, of majority governments.

The fact is that what could have become the people's package in 1982 has become the deal that our first ministers were allowed to make behind closed doors. Every Canadian has expressed concern about this process.

Mr Haggerty: Where does the Prime Minister fit into this?

Mr Jackson: The Prime Minister and the Premier, everybody, agrees that this process was wrong, but no one is doing a darned thing about it. We know that in 1982, then Prime Minister Pierre Trudeau did not want to go this way. In fact, history records that the Premier of Quebec wanted a referendum approach; that is what history will tell us. But the fact remains that we have a process in place which denies people the opportunity to have the meaningful input that Canadians deserve.

So I challenge the member with the majority: If we are going to get into partisanship, which we should not—

Mr Carrothers: Oh, come on.

Mr Jackson: Then the member should not encourage the debate along those lines. All members in that room are guilty of that process, and that has been stated virtually by every speaker this afternoon.

The fact is, what we are being asked to ratify today has more to do with Senate reform than it has to do with Quebec's five demands, and anyone willing to read this document will clearly find out that this is in fact what we are voting on today, and the fact that the roll of the dice that people are so fond of referring to had more to do, not with the environment in which it was operating, but who was actually throwing the dice.

The fact is that Ontario is being asked to surrender six of its Senate seats. We know that when the Premier rolled the dice, the number two came up and the Premier of New Brunswick said: "Well, that's not the right roll, Premier. We want you to roll again." He picked up the dice and he rolled it again, and what did he come up with? He came up with a number six. Then the two Premiers said: "Well, that's fine. That's the roll of the dice that we are looking for."

Mr Furlong: You don't know what you're talking about.

Mr Jackson: The member should read today's paper. He will see exactly what was said. I think the chairman of the committee is concerned that we are getting closer in this House to a clear understanding of what went on with respect to Ontario's participation in Senate reform than he, as the chairman of our committee, was able to garner in its very extensive six days of hearings.

The fact is, Mr Speaker, that the Canadian people and Ontario citizens are trying to tell us what is wrong with this process. Do you realize there is not a Hansard record of these public hearings? We have not had time to get them published.

But let me help the members of the House who did not conduct public hearings in their own ridings, as I did, or were unable to attend these meetings. We had our very first speaker in Ottawa refer to "Peterson's Senate seat sale," which was followed by a professor who specializes in constitutional law, who called it "an insane circus behind closed doors." It was "indecent manipulation." I am reading directly from the quotes of citizens who came forward in those hearings. We heard about a "labour relations bargaining marathon," as one referred to it.

But from Canada's native people we perhaps heard the most cogent, the most sensitive and the most enlightening advice, which has yet to be shared with this House. We had an Inuit leader tell this committee that Canada is stronger than Meech. Imagine citizens of this country, after they have been excluded from constitutional discussions and told that they cannot participate in the Canada clause—for them to come forward and say Canada is stronger than Meech.

We had a Queen's University law professor tell us that this whole process is a threat to our national integrity because it is composed of media-spinning, coercion tactics and exclusion of popular choice by the people of this country.

We had another citizen in Sudbury talk about it as an active force, a pressure bandage, simply for the benefit of New Brunswick and Newfoundland. And we had an Indian woman who travelled hundreds of miles just to be given 15 minutes of our time to ask us why we have the right to tamper with their federal relationships. Where do we get off deciding that, as we have in this document, for the first nations people of our country?

We could learn much if we listened to those very few citizens who came forward to make presentations. I was pleased to participate in those discussions. Like the member for Algoma, I raised considerable concerns during the debate on Meech Lake. I raised the concerns of Canada's aboriginal founding peoples and women, who had been specifically excluded from the accord. Their relationship to the Charter of Rights and Freedoms was drawn into question. Like many Canadians, I share a different vision for Canada than do, perhaps, the government and the Premier of this province.

1610

But today's debate is not about the different visions of a strong federalist government or stronger provincial powers that may some day move our country into a federation of states, as opposed to a strong federalist government. That debate was two years ago on Meech, and that is what the essence of Meech is. Today is about Senate reform. We have been told eloquently by the member for Parry Sound that, by the Premier's own admission, this is a symbolic gesture to assist the legislatures of Newfoundland and Manitoba. If one reads the media reports, it will become abundantly clear that both the peoples of Manitoba and Newfoundland, who incidentally have distinguished themselves by their ability to convince their elected officials that there should be a meaningful process for them to participate in, are not talking about Senate reform today, they are talking about the future of Canada. So where is the need for this symbolism to surrender these six Senate seats? History will show that it was to break a logjam during a collective bargaining environment and to save face for 11 men deciding the future of our country.

The process was wrong and those of us who would vote against it will refuse to participate further in a process which continues that wrong. As I have indicated, after having had over 100 of my constituents come to a meeting last night to talk about this final accord document, I will be voting in accordance with my conscience and at home with my constituents and be voting against this agreement. I want to say the reason I will do that is because, as I have indicated on many occasions, we cannot be influenced by the timing of a provincial election. We cannot be guided by a whipped vote on something as critical as our Constitution and I thank my party leader, the member for Nipissing, for again allowing those of us in our party to have a

free vote according to our constituents' wishes and our consciences.

But we all too often forget in this chamber that we derive our power purely from the consent of those we govern. Today I will vote on their behalf.

Mr Grandmaitre: I am pleased to discuss the resolution that is before us, introduced by our Premier, who I think has done a great job for the province and Canada, not only in the past three years, but I think as a great Canadian has been promoting not only this province, but Canadians.

As a member of the select committee on constitutional and intergovernmental affairs, I am pleased to say that we went around this province in a limited way, but at least we showed good faith. I think it is about time that we quit playing politics. I think it is time that we should point the finger to ourselves as individuals, as Canadians.

Je crois qu'il est très nécessaire de cesser le jeu politique qu'on joue depuis 125 ans au Canada. Ça fait cinq ans que je fais partie de cette Assemblée et ça fait cinq ans qu'on tente de pointer du doigt, de blâmer les gens.

Je crois que ce qui se passe au Canada, c'est de notre faute, individuellement, en tant que Canadiens, qui avons toujours tenu le Canada pour acquis comme une vache à lait. Le Canada a toujours bien appuyé les Canadiens, mais par contre, nous avons toujours voulu profiter du Canada. L'impasse à laquelle on fait face aujourd'hui, nous l'avons voulue.

Aujourd'hui, on a à se blâmer soi-même, à s'unir. Qu'on fasse partie d'un groupe multiculturel, qu'on soit anglophone, qu'on soit autochtone, aborigène, qu'on soit femme, qu'on soit handicapé, il est grandement temps qu'on se dise qu'on aime notre pays, qu'on aime le Canada, qu'on aime notre province. C'est seulement à ce moment-là que nous allons réaliser, comme Canadiens, qu'il y a longtemps que nous n'avons pas fait nos devoirs.

En tant que francophone en Ontario, j'admire les autochtones qui cherchent à avoir du pouvoir dans notre province et partout au Canada. Je comprends comment ces gens-là se sentent ; j'en étais un jusqu'en 1986. Maintenant, nous avons une loi, la Loi 8 qui nous permet, qui nous donne des services. Je crois que c'est la responsabilité de notre gouvernement, du gouvernement de l'Ontario, et des neuf autres gouvernements au Canada ainsi que celui d'Ottawa de comprendre qu'on veut vivre au Canada uni et partager tous les bienfaits qui existent au Canada.

Il faut cesser de pointer du doigt et d'accuser Pierre, Jean, Jacques. Ce sont nous les responsables ; ce sont nous qui avons la gouvernance du Canada ; ce sont nous qui avons la gouvernance de notre province. C'est à nous d'avoir un processus et une formule qui vont nous plaire, qui vont satisfaire, non seulement les Ontariens et les Ontariennes, mais tous les Canadiens.

As a member of the committee, I was pleased to meet as many people as we could in a very limited time, but I think it was a worthwhile process. Naturally, we did not satisfy every group or every individual who wanted to address the issue and the amendments that were brought on by the 8 June meetings in Ottawa. But I think it served a purpose. I think it is about time that we listened to the people outside this building and outside every government House in Canada.

I think we are to blame, not as politicians but as Canadians, for having taken Canada for granted for too long, and now we see Canada as being fragmented or very close to being fragmented. I think our committee must continue to travel, not only across this province but right across Canada, to try to unite

Canada, to live as Canadians and to dream as Canadians. It is the only way that Canada will remain a great country.

1620

M. Morin Strom : Je pense que le débat d'aujourd'hui est très important pour l'avenir du Canada. En cette période critique de l'histoire de notre pays, il est essentiel que tous les politiciens du Canada démontrent la volonté de trouver une solution pour rassembler les communautés anglophones et francophones.

En tant que député de Sault Ste-Marie, j'éprouve personnellement la responsabilité de dire «oui» au Québec et «oui» aux francophones partout au Canada. Je connais la blessure qu'a causée aux Québécois la décision de notre conseil municipal de déclarer Sault Ste-Marie unilingue anglaise. Le gâchis est immense. Je connais la blessure ressentie par les communautés francophones d'un bout à l'autre du Canada. Je connais la blessure parce que je l'ai vue à Sault Ste-Marie et parce que je l'ai vécue dans ma propre famille.

Ma communauté a été divisée sur la question linguistique et a été divisée sur l'accord du Lac Meech. Aujourd'hui, cependant, je tiens à représenter ceux et celles qui veulent lutter pour l'unité du Canada. Je crois que la seule façon de réussir est d'accueillir le Québec dans la constitution canadienne.

Je reconnais qu'il y a de sérieux problèmes avec l'accord du Lac Meech en ce qui concerne le processus utilisé par le premier ministre Brian Mulroney et avec le nouvel accord signé le 9 juin dernier. J'aurais préféré une consultation publique pendant l'été sur cette question. J'aurais aussi voulu, comme le Québec, que les dix provinces ratifient l'accord originel avant d'accepter ces ajouts supplémentaires qui vont être votés aujourd'hui. Pour moi, la question d'un Sénat efficace représente un autre niveau de gouvernement qui serait une menace pour la démocratie au Canada.

Je souhaite que ce vote ait lieu cette semaine au Manitoba et à Terre-Neuve. J'espère que notre geste, ici en Ontario, va encourager les deux provinces à assumer leurs responsabilités.

Monsieur le Président, je vous remercie de votre patience ; c'est mon premier discours prononcé en français. Mais je tiens à dire «oui» au Québec, «oui» aux francophones, «oui» à l'unité du Canada et, en tant que député de Sault Ste-Marie, je veux dire «oui» à la dualité linguistique du Canada. J'appuie la résolution présentée.

Ms Oddie Munro: The Canadian Constitution is important to all Canadians, and this province has confirmed once again its love of Canada in the five days of public hearings completed yesterday by the select committee on constitutional and intergovernmental affairs.

The task of the committee, as directed by the House, was to consider the 1990 constitutional agreement and to report back. We did so through the vehicle of public meetings. We were told by the people in their own way that the Constitution is important to them, both individually and collectively; that the Constitution is their identity; and that the changing nature of Canada must be embodied in the Constitution and the Charter of Rights. We were told, too, that any changes to the Constitution, in order to be embraced by the people, must be reflected by the people as part of a dynamic communication process involving elected representatives, first ministers and Canadian citizens from all walks of life and all geographic locations, having regard for our history, our present and our future.

I am here to comment on one of the main issues arising out of our public hearings, and that issue was process. Every committee member recognized the very real time limitations of the

hearings. Every committee member, however, did his or her utmost not only to listen to the witnesses but to enter into dialogue. What we heard was the desire and necessity for grass-roots opportunities to participate in constitutional issues. While recognizing and respecting the role of elected officials, federal-provincial conferences and first ministers' conferences, the main issue was to receive and give timely information, to educate and be educated and to reflect on both the substance and value of constitutional amendments for the people.

We were told that part of the negative reaction to the constitutional process was lack of information, fearmongering and pressures. Credit was given where credit was due to all partners, including provincial premiers, but the message we got was that we have an opportunity now to open up the process. Ontario has a role to play, as we have in the past, in making our suggestions for process known to the federal government and to our sister provinces.

We heard that the process cannot be relegated to a one-time-only communication, but ongoing. Commonsense notions of communication, process and participation were heard: town hall meetings, information sessions, letters, telephone call-ins, sources of information at libraries etc.

The main point that we heard was that comprehensive process must be established so every citizen can say truthfully that the opportunity is there for me and you to be heard, that I can see my thoughts are similar to others, that you can feel that your values are or are not shared by others, that we are part of the process of conciliation and development, part of the process of nation-building, that I can talk about Canada and the nation as a normal cultural event in little towns or industrial cities, in north, south, east or west, as a member of first nations, as a recent immigrant, as a member of the French- and English-speaking nations, as women, disabled, as young, old, blue- or white-collar, so that elected officials can say truthfully that they are reflecting the public will and needs on constitutional issues such as Senate reform, aboriginal issues, amendments etc.

Canada now and in the future will have to grapple with perpetuated insensitivities, with wounds, will have to recognize the blessings of values shared, of contributions to the nation by individuals and groups, and will have to constantly be aware of the checks and balances of nationhood, of the rights of individuals and the rights of the collectivity of the respective culture and diversity and language.

I do not believe the session we went through was a sham. Many of the concerns expressed to us were similar to those of Canadians everywhere. Many wanted to assist the Premier. Many wanted to assist us, as legislators, wanted to assist their own local communities. They realized what brothers and sisters meant. They have given to us, even in the limited time available, input on Senate reform, the "distinct society" clause, Charter of Rights, etc.

It was our task as a committee to bring their responses to members and we have suggested ratification and acceptance of the resolution. I do so and will support the resolution and would like to insist that every member of the Legislature take on his or her responsibility, in the process sense, of bringing to people in their ridings issues of constitutional amendments in the future. We will then be an even stronger nation than we have been in the past.

Mr Breaugh: I wanted to come in and participate this afternoon because I am one who has had an opportunity to consult rather widely with my constituents in the last little while. I found something surprising.

The first thing was how well they understand what is going on here. I know that many would feel that maybe people in a riding like mine have not followed the proceedings. I am surprised by how thoroughly they have. I am surprised at the number of people who have a fairly good grasp of maybe not all of the technical arguments that are in the accord, but they understand the substance of it all.

I am taken aback by the wisdom of people who sense that there is something wrong here, but it is not particularly what was agreed upon at Meech Lake or subsequently at the meeting in Ottawa last week. They understand that the basic fault is one of process.

I was reminded, in discussions with them too, of a small clip I saw and I apologize, I did not catch the gentleman's name, but he was appearing before the federal committee in the Yukon. He said that he was very angry about what is happening to his country, and angry because it was happening at the hands of a small group of constitutional aristocrats. That phrase stuck in my mind because it goes to the heart of the matter.

If a Constitution is worth anything, it is not something that is written down for experts to analyse, or for lawyers to argue or for people in the academic world to study. If it is of any value, it is for the people of that constituency, of that nation. In a strange way, they are beginning to develop some sense of the turmoil that is going on.

At the tip of the anger is something that was best summarized to me by a woman who spoke to me this morning. She had, by the way, taken the time to come to my office and get a copy of the accord. She said in roughly these words: "I have read the accord. There is nothing in that accord that bothers me. I agree with the things that are there. But the process is surely crazy, surely backwards." That is true.

It strikes me that we are caught in something that is a strange phenomenon. There is some turmoil going through this country now. Those of us like myself who are used to being in the midst of great turmoil I think are not as upset by others. We accept that in politics there are often many times of great controversy and great argument, and then at the end of it you survive. If what you are trying to do is worth while, you can take almost any controversy and live through it and work towards a better day.

1630

I am struck by the ironies of it all.

Brian Mulroney with all of his power and all of his resources is now being hung out to dry by the rules that he made, by one man I happen to have met, a very quiet, shy person, an aboriginal person who is a member of the Legislature in Manitoba. He is not engaging in great, long rhetoric. He is simply doing what he was elected to do, representing his people in the best way that he can, using the tools that are available to him. There is a tremendous irony in that.

I am struck too by the number of people who—perhaps it is because this week in Oshawa we are celebrating a presentation by our folk arts council called Fiesta Week, where all of our ethnic groups set up pavilions that explain their background and their culture to people who may not understand that. In a strange way it is what Canada is, a great leveller, for most people came to this country to escape some kind of tyranny, some kind of economic pressure, and made things happen in this country in a way they could not happen in their country of origin.

Like most Canadians, I think I am going to have participation in a great, national upchuck if I see one more of our

politicians claiming to be a nation-builder. The people who built this nation are people who came here like my ancestors, like, I will bet, the ancestors of every member in this chamber. They came here to escape some kind of oppression, economic or otherwise. They built something in this country that is unique. They built this nation. They went down into the ground and built the mines. They built the transportation system. They generated the wealth in our factories, on our farms, around the coastal areas of this country.

They are the nation-builders, not the politicians. The politicians come in after the fact and we write down the words that express all of what this country is about and hopes to be. It is not that we are ever going to avoid arguments. That should not be the nature of the case.

I am struck by another irony. One of the premiers did what should have happened, and that is the Premier of Quebec, who went to his people and said, "This is what we think belonging to Canada should mean for the people of Quebec." He wrote discussion papers about that, he held public meetings about that and he went through a general election about that, so that by the time he got to this constitutional table, his people understood thoroughly what these discussions were about and what the province of Quebec and the people of Quebec wanted. There is a person who speaks with some assurance that the people he represents have had their say. Perhaps that is one of the major flaws in this process, that others did not do that.

It is a difficult time for some, I know, in this country. It is a difficult time for politicians in particular, who seem dreadfully incapable of doing what needs to be done. I am taken aback by those who pretend to be wise, and the sad thing is they are not wise, who pretend to know more about Canada than the rest of Canadians. The sad thing is that it is apparent to all of us that they do not, that they have forgotten some very basic truths about the democratic process, that they think somehow trying to pigeonhole somebody and to pressure him into accepting this agreement will work. It cannot work. In the long run there is no hope for success in that. You could perhaps cause something to be passed in a Legislature, but that will not make it work for the nation.

Like my constituents I spoke to this morning, I have followed these proceedings with great care. There is nothing in the accord that I find offensive. There is nothing in the subsequent agreement that I find offensive. There is everything in the world that offends me about the process. For those who say, "We are stuck with this process because that is the way it was set out in the 1982 agreement," that is a variation of the truth to which I do not subscribe. There was ample opportunity for all of the premiers to consult widely—only one of them did—to put forward proposals in a very public way—only one of them did—and to consult with their people by means of public meetings, by means of general elections, by means of discussions at all levels. Sadly that did not happen across the country.

I hope we will find our way out of this impasse. I could think, with my devious mind, of a number of procedural ways in which we could get through this dilemma. But that really is not the difficulty that is before us. That is only a technicality and that will not win or lose the day. What needs to happen, and I am really sad to report this, is that there needs to be a turnaround in the relationship between those who are elected in this country and those they purport to represent.

The people we represent feel badly betrayed by the process. They feel badly betrayed by the Prime Minister of this country and the attitude he displayed towards everybody else, because if there is a flaw in what has happened here it is very simply the

strange notion that there is a small number of people who are all-wise and all-knowing, and that what they write down is perfect and what everybody else thinks is quite wrong. The reverse is quite true.

The reverse, and the truth I believe in, is that the people in this country, the people in my riding, have surprised me with how well they understand what has happened here; with how well they understand the need to approve the Meech Lake accord in some form; with how well they understand that the flaw is in the process, not with the documents; with how well they understand—this I find, I suppose, surprising in a sense. One would have thought that in my community there would not be a great deal of sympathy for aboriginal Canadians, and there is.

If Elijah Harper came to Oshawa he could be mayor, provincial member, federal member, anything he wanted. People have watched those proceedings in a way that I find quite strange. They understand exactly what he is doing. They understand exactly what he wants and they support it. If you put the question to me in this form, "Do you want to vote for Brian Mulroney or Elijah Harper?" I would have to say, like almost 99% of my constituents, "I am with Elijah."

Mr R. F. Johnston: Would that I had more than just a few minutes to be able to address this issue. Would that all members of the Legislature were to have a chance to participate in the constitutional debate. Would that the people of the country would be allowed to participate in a constitutional debate. But that has not been the case.

I voted against Meech Lake when it was first brought to this House. I argued against it in my party, which then agreed to go ahead with support of Meech Lake. I would be willing to support the companion resolutions that came out of the legislative committee of this Legislature, but I am not willing, again, to participate in a procedure that denies my democratic rights, that denies the involvement of the people of Canada and the people of this province in decision-making.

When the Premier of this province has the nerve to speak against the process and then comes back to us, having never raised it in this House once, with the notion that six seats in the Senate are supposedly not important and have no relevance to anything in the future and that he can use that as a card and expect me to sit back and acquiesce, he is crazy.

People may think that the Senate is irrelevant, and my party and I believe that it should be done away with, but as a result of this Meech process what we now have is an elected Senate, as sure as shooting. I do not think the people of this country want another level of government. I think they think we have more levels of government than we damned well need at this point.

I do not think the people of this province believe they want a Senate that is going to derogate from the rights and the privilege of this House, and that is exactly what that kind of Senate is going to do. These assemblies are going to become like state assemblies in the United States. They are going to become much less relevant. The senior level of government will become the Senate. As sure as shooting, that is going to take place.

When they say, "That is not going to happen," I ask them to think about what the Premier has now done. He has now said that we will have, it looks like, a maximum of 18 elected senators. That is going to be the reality, 18 people who will represent, each of them, one eighteenth of the province, whereas we members represent one one hundred and thirtieth. We will not be able to say that we represent the people of Ontario as much as those senators will be able to say it.

Senators have the right under our Constitution to the same parliamentary rights as does the House of Parliament. The only thing that restricts them is the fact that they are nominated, not elected. That has now been done away with. Nobody has thought of the consequences of this. I just say to members that I will not stand in support of this. I will have to again vote against this process and this accord that has been brought to us again.

1640

Mr Harris: I am not particularly pleased that we are debating this today, but given the fact that the debate is on today I am pleased to speak on this resolution.

We are debating a very important resolution at a very critical time in our nation's history. One would like to think that such a fundamental turning point in our constitutional discussions would be cause for celebration and I, like so many other Canadians, regret that this is not the case. I, like so many other Canadians, passionately want a strong, united and whole Canada. The tremendous irony of this whole ordeal is that in the end, despite working so hard to come up with a constitutional agreement to achieve precisely that, we have somehow managed to sow the seeds for national self-destruction in the process. Clearly, if this constitutional agreement fails, it will fail because the process was flawed. It will fail because the process itself failed the people.

Even if it somehow survives, as Dalton Camp so rightly noted in this morning's newspaper, it will survive despite the widely held view that Canadians were duped and betrayed by the process. Canadians will have lost respect for the political process. Canadians will have lost respect for our political leadership. Canadians will be very suspicious of any talk about improving the process tomorrow from the same politicians who are responsible for the agonizing experience we are dealing with today. After all it was politicians, not the people, who got us into this mess, so the people really do not have much confidence in today's political leadership to get Canada out of this mess.

I believe that our political leadership, and specifically our first ministers, now finally understand that the process was wrong, but it was apparent to many people years ago. In fact, to Canadians from one end of this country to the other who were left out of the process, it was apparent that it was wrong from day one.

I sat on Ontario's legislative committee that was established over two years ago to hold open public hearings on the Meech Lake accord. It was established reluctantly only after the Peterson government had made its final decision and only after the opposition parties embarrassed the Premier into action. As a member of this committee, I travelled this province. I attended meeting after meeting where people from all walks of life appeared before us to express their concerns.

Some had concerns about what was in the Meech Lake accord. Many had concerns about what was not in the accord. But almost everyone expressed concerns about the process. They were concerned about having only the visions of 11 first ministers, arbitrarily imposed upon 26 million other Canadians without ever first consulting the public. They reminded us that there were 26 million other visions out there on the future of Canada. They reminded us that in a participatory democracy, which this country supposedly embraces, people have a right to participate, not just in a token way after the fact but directly and in a meaningful way before public policy and especially con-

stitutional decisions are made. That did not happen here in Ontario.

As a member of that committee and as someone who shares these public sentiments, I tried to address these concerns by issuing a minority opinion in conjunction with my colleague the member for Parry Sound on behalf of our party. Despite the flawed process and the lack of public input prior to Meech Lake, I felt that the outstanding concerns could be addressed by way of companion resolutions in that three-year period that was provided to us. As well we suggested a Supreme Court reference to clarify "distinct society," and the establishment of a permanent public consultation process here in Ontario, because we knew then just as surely as we know now that these constitutional discussions are with us for at least the next 10 years and probably now for ever. That was two years ago when that report was released.

The Premier of this province refused to acknowledge that report or to listen to that report and thereby refused to listen to the public of this province. He dismissed the merits of companion resolutions. He dismissed the need for a court reference. He waited two more years before establishing a constitutional committee to provide a forum for public consultation. If there is a second irony in all of this, it is that the resolution we are debating today embraces the spirit, if not the substance of my party's minority report that was issued two years ago.

In the meantime, while Canadians from coast to coast were discussing the Wells, the Filmon and the McKenna proposals, the Premier of Ontario sat on the sidelines. Never in the history of Canadian constitutional discussions has Ontario so badly neglected its national leadership role. Never before have the people of Ontario been forced to wonder where our Premier is, what Ontario's role is in shaping the future of Canada, who is speaking for us and in fact who is consulting us before speaking up for Ontario.

Today many Ontarians might argue that the Premier of Newfoundland has been speaking for the people of Ontario. Some say it is the people of Saskatchewan. Others may feel it is the Premier of Quebec. What we do know, and without diminishing any constructive role the Premier of Ontario might have had behind closed doors during the first ministers' meetings three weeks ago—that is just the problem, because Canadians do not know what went on behind those closed doors—is that Ontario played a role in breaking the Senate reform logjam and we know that it revolves around giving up six Senate seats. So Ontario will be known for its role in horse-trading some Senate seats as our contribution to the most historic constitutional discussions since Confederation, without any prior consultation with the cabinet, the Legislature or the people of Ontario.

I suggest that this is not the way to build a nation. Surely the people of Ontario, who have always played a significant role in our national affairs, deserve better leadership than that.

The Premier should not be surprised by the answer to the question that may well be put to the people shortly, namely, "Who do you want speaking for you in the province of Ontario at the constitutional table in the future?" because that is why provinces have leaders. The Premier of Ontario is at the constitutional table, yes, to speak for Canada, but the Premier of Ontario also has a fundamental responsibility to listen to and then speak for the province of Ontario. The Premier of Ontario, on something as important as amending our Constitution, also has a fundamental obligation to consult and reflect the needs and the aspirations of the people of Ontario who that Premier represents.

I have no sense that the Premier of Ontario today understands or is prepared to assume that responsibility in that way. I have no sense that the Premier of Ontario is fighting on behalf of our rights, our interests and our wellbeing. We have, for example, a tremendous problem with interprovincial trade barriers in Canada today. Ontario bears the brunt of that damage. Who is fighting for Ontario's rights, for Ontario's jobs and for Ontario's future on this issue? Not this Premier. But he should have, he could have and he probably would have if he had the benefit of public input, if he had the benefit of public consensus or if the Premier had the benefit of a public mandate from the people of Ontario to speak for the province of Ontario.

1650

That is where our Premier really failed the people over the last three years. We could have had public hearings on Senate reform. We could have had the hearings on Senate reform. We had ample time to identify Ontario's priorities, be they aboriginal, women's concerns about the Charter of Rights, the Senate, national unity, trade barriers, or anything else. We had an opportunity to implement a game plan to address those concerns. That is what this Premier, our Premier, failed to do during those three wasted years.

If we have learned anything, it is that no future Premier of this province can assume that he or she has a mandate to make deals with other first ministers on major constitutional matters without first consulting with the people of Ontario. Whether it is by way of referendum, plebiscite, hearings or a vote in the Legislature, no Premier has a mandate unless he goes through that process.

Second, never again should our first ministers be permitted to horse-trade or make significant concessions on unrelated items behind closed doors in the middle of the night. If we are dealing with Senate reform, let's deal with Senate reform. Let's not mix up Senate reform with aboriginal rights. If we are dealing with aboriginal rights, or women's rights, or the Canada clause, let's deal with them one by one, on their own merits, without diminishing one to strengthen or change the other when they are totally unrelated.

I have spoken today about the flawed process, about the importance of participatory democracy, about the need to respect the people's vision of Canada and about the Premier's responsibility to fight as well for Ontario's interests. I, like so many other Canadians, have very real concerns about how we got to this stage, about where we are today and about where we go from here as a nation after 23 June.

I am concerned about the future of my country. I am concerned about the talk of separation in Quebec, but also in eastern Canada, in western Canada and here in Ontario. I believe it is more than just talk; I believe it is real. It reflects the increasingly widespread lack of public confidence not just in our political leadership but indeed in our country. The political and national climate in this country has changed as a result of this horrible constitutional experience. Much damage has been done to our sense of national identity, to our spirit, to our collective unity and to our goodwill. Whether we like it or not, simply passing Meech Lake alone will not undo that damage.

I am appalled that the Peterson government has yet to acknowledge this new reality with a plan for national reconciliation. We have yet to receive any guarantees that a formal, public constitutional process will be followed in Ontario after 23 June. Today the Attorney General acknowledged that it is up to each province on its own as to how it uses those three years that are provided in the 1981-82 document. It is up to each province as

to how it uses the time leading up to those three years. We could have used that time in Ontario to consult on Senate reform, to discuss the options, to get a mandate from the people of Ontario before we went to the first ministers' conference and offered up something that was not the first minister's to offer up.

After having failed to do that, the Premier had a second option. Not having a mandate to fundamentally change the direction of this country from Ontario's position vis-à-vis the Senate, the Premier had an option to go to that first ministers' conference, as flawed as it was. My first choice would be to fight to change the process, but if that was not successful, then he had an option to commit his own personal view and to bring that back to the people of Ontario over the three-year period. He did not have the mandate and that is not the commitment he made. He made the commitment that he would use every power he can—and with 94 seats, the people of this province know what that power is—to have this vote, to have a short-circuited, disgraceful display of some type of input and have this vote in two weeks.

We have no indication that this government has the kind of plan in place that will be required for Ontario to deal with the many outstanding constitutional challenges that remain. Because of the flawed process, because of the diversity of opinion that exists as to just what signal this resolution will send to the people of Ontario, the members of my caucus have agreed to conclude that debate today with a free vote. In the absence of being given the three years leading up to or the three years after to consult with their people, because this is the people's Constitution, my members have been forced into a situation without being able to consult with the people, without being able to consult with their constituents and without being able to have any meaningful input, and they have been forced today to make that decision in their own conscience having consulted, as best they can, with their constituents.

I wish to conclude by indicating that I will vote for the resolution. The signal that I am sending today with my vote is that the process is flawed and that it must be changed. I am voting in favour of public consultation and constructive public involvement in any future constitutional discussions, just as I voted two years ago, and which this government ignored when I proposed that two years ago. I am voting in support of a strong and a united Canada that, in my view, is far more important than any single item that may or may not be contained in the current constitutional package.

Quite frankly, there are some aspects of these constitutional amendments that I personally do not like. Given an opportunity to do so, I will fight to change them. I also believe that I have made it clear that I find the entire process that was inherited by the Prime Minister from Pierre Trudeau and Jean Chrétien and then blindly followed by the Premier of Ontario, I find that whole process totally unacceptable, and that too I will fight to change.

Finally, my country is in trouble, my country's future is in jeopardy and its people are worried. On 24 June I will begin, in concert with the people of Ontario and with help from Canadians all across this country, to fight to change that fundamental process as well. This country, my Canada, needs all of us to fight for its future, to fight for our future and to fight for our children's future. I believe it is worth fighting for.

[Applause]

Mr Eves: On a point of order, Mr Speaker: I would move that the leader of the official opposition be given our extra 2

minutes and 58 seconds to add to his time, with unanimous consent.

The Acting Speaker (Mr Cureatz): Do we have unanimous consent?

Agreed to.

1700

Mr B. Rae: I think they stopped the clock when the applause started. I appreciate the kindness of the members of the Conservative Party in giving me just a trifle more time to express my thoughts on this occasion.

Like all Canadians, I speak with a troubled heart at the moment. I do not think any of us can look at the process and say that we are entirely happy. I think we have, over the last several weeks, come to understand how profoundly people feel excluded from the making of the Canadian Constitution. There are historical reasons for that. After all, until 1982 there was no process. The only process was that the British Parliament would pass an amendment to the British North America Act, presumably on the advice and consent of the Parliament of Canada, but again certainly not with any guarantee of the participation of Canadians.

We really did not have a Constitution to make our own until 1982. When it came to us, it came to us largely as a Constitution that was about the division of powers between the provinces and the federal government. It was, in a sense, seen as the property of those provinces and of the federal government. The Constitution was seen as belonging essentially to the premiers and to the Prime Minister. That is obviously no longer acceptable or tenable in a modern democratic state such as Canada.

That is why I said two weeks ago, when we first began to discuss the question of the new resolution in front of us, that we have to state and understand very clearly now that the Constitution belongs to the people of Canada. It is not the private property of the Premier; it is not the private property of the Prime Minister; it belongs to all the people. We have to find a way of amending and changing the Constitution so that it becomes part of our democratic life and so that it becomes part of the popular awareness and consciousness of the people of Canada.

There are a great many reasons why I could very easily vote against this resolution. I do not like the process. I have said that often enough; I have said it critically enough. I was at the conference in Ottawa as an observer outside the framework of the discussion. I am sorry the Attorney General is not here to listen to these remarks because they are addressed very personally to him.

The Attorney General told me that he deliberately excluded me and the leader of the third party from any discussion with respect to Senate reform and that he deliberately did not want us to be there at any decision-making time with respect to Ontario's proposals on the Senate because he felt that it was a decision of the government and a political responsibility of the Premier and had nothing to do with me as Leader of the Opposition.

I suppose that if I were a resentful person or somebody who felt that personal resentment should take precedence over other priorities, I might have decided at that point to do everything in my power to make the life of the government impossible with respect to this issue. I say to the Attorney General, who is not here, and I say to the Premier, who is also not here, and I say to the Deputy Premier, who is also not here, and I say to other people who are also not here, very directly that I think it is a

profound mistake to think that the reform of the Constitution is some kind of unilateral responsibility of the government of the day.

I also resented, I can say, as someone who, as the Premier well knows and as the Attorney General well knows, has in good faith, I believe, attempted to deal with this issue in a totally non-partisan way, as I have on other constitutional issues. So if I had been moved by a sense of resentment, my decision would be different. If I were moved by a sense of trying to take advantage of a sense of popular frustration, my decision would be different. However, I do not think that either of those emotions, as much as we as human beings fall prey to them from time to time, and as politicians fall prey to them perhaps more often even than others, is the basis upon which a wise decision can be made.

I have to assess the resolution entirely on its merits as it is before us. On its merits, most of the resolution deals with matters which this House has dealt with on a number of occasions in terms of add-ons to the original Meech Lake accord. The item that has not been discussed and has not been widely shared has to do with the question of Senate reform.

It is quite correct that regardless of how I vote or indeed regardless of how my colleagues vote, the Liberal Party has sufficient votes to simply carry the matter with respect to Senate reform. I could easily say, "You don't need my vote, so I'm not going to vote for it." However, like the Premier and like everyone in this House, I too am a Canadian, and I think I speak on behalf of all the members of the House when I say that when I think of my citizenship, I do not regard myself as a citizen of Ontario. I am a citizen of Canada.

My loyalty to the country, my loyalty to Canada comes before my loyalty to whether I live in Ontario or Alberta or Manitoba or British Columbia. It is because I see that we have to respond to this as a national issue and that we are speaking as Canadians that I say to myself: "I was not in that room. Indeed, I was excluded from all those discussions."

However, I know from public accounts, from what has been said, that the fact that the government of Ontario was prepared to make a certain concession with respect to the Senate was critical in at least getting us to the possibility of a resolution of the impasse over Meech Lake by 23 June.

I can say that I have grave reservations, as I have expressed them. I wonder about the current wave of popular emotion on the subject of the so-called triple E Senate, which I regard as a fundamentally incoherent idea whose merits have yet to be explained to me in any fashion that I find even remotely compatible with the notion of an effective democratic state.

However, I understand that this was an important element, or at least an element, in the achievement of a kind of consensus, and we are going to find out over the next few days just what kind of consensus it was two weeks ago.

I very much want to send a message to the people of Quebec; un message à la population du Québec, qui dit clairement que n'importe ce qui arrive dans les débats au Manitoba ou à Terre-Neuve, il est clair que les Assemblées législatives du Canada anglais, dans la grande majorité, acceptent la réalité que le Québec est une société distincte, dans le Canada.

C'est pourquoi j'implore tous les Québécois de ne pas faire attention aux gens qui jouent aux jeux ridicules avec le drapeau du Québec. Ces gens-là ne représentent pas du tout la grande majorité des anglophones, des Canadiens anglais; la majorité des Canadiens anglais acceptent la dignité et la réalité du Québec moderne et nouveau.

N'importe ce qui arrive au Manitoba, les débats sur la constitution vont continuer. Je parle pour moi-même et pour le parti que je représente ici en Ontario, en disant que nous allons continuer à participer dans ces débats avec la population de la province de Québec, comme partenaire qui essaie de construire et de refaire, encore et encore, le Canada.

1710

We are in the middle of a painful and difficult national exercise. We are remaking and redefining our country. It is impossible for the native people of the country to accept that this process of redefining the country can take place without recognizing that long before Europeans came over—the member for Lawrence celebrated, as we all celebrated in various celebrations this week, the arrival of Giovanni Caboto, John Cabot to those of us who went to school a little earlier—

Mr Smith: Before they discovered what his real name was.

Mr B. Rae: Before they discovered what his real name was. That is right.

Let's not forget that when Giovanni Caboto came to Canada, there were people who had been living here for thousands of years, whose home Canada was and is and always will be. We are remaking the country and it is unconscionable for the remaking of the country to take place without the participation of our native people and without the recognition that they are the first citizens of Canada.

If I believed for an instant that voting against this resolution would somehow aid the process of including the aboriginal people in the heart of constitutional reform, I would vote against it. But I do not happen to believe that that is true. I happen to believe that the hard reality of politics today in the country is that it is going to be easier and indeed it is only really going to be possible for us to effect the kind of constitutional change that will include aboriginal people if Quebec is a willing and voluntary partner in the new Confederation.

I will be very surprised if the Manitoba Legislature is able to vote on this matter before midnight of 23 June. That is a reality. The other reality is that when this House reconvenes next week, we will be faced, as other legislatures will be faced, with a challenge and a choice. There will be those who will argue that what we should simply do is throw up our hands, talk about the death of Meech Lake and run around wondering what it is we can possibly do.

I wished and had hoped that the Premier and the Attorney General would be saying more clearly to Canadians and to the citizens of this province what it is that they think should be our perspective as we head into this weekend. What kind of leadership role will Ontario be playing? What will Ontario be doing to assure the native people of Ontario that they will be partners and parties to the process from here on in? What kind of assurances are they giving to them?

We have not heard those words yet, but I can tell you on behalf of the New Democratic Party, Mr Speaker, we are convinced that while—and I am someone who I think I can say at some political expense because nothing would have been easier for me at various moments to have decided that this could be made into a very deep and vicious partisan issue and that I would take that course. But I say to the Premier that as of 25 June, when it comes time for us to consider where we go from here, we will be insisting on behalf of the New Democratic Party that the process be an open one.

Frankly, it is not just a question that the member for York South or the member for Nipissing be consulted and be taken

seriously because of our commitments and because of our views and because we have been prepared to play this one very differently than we play most partisan issues. I do not think that has been recognized, frankly, on the government side in any serious way. I really do not. But that is as it must be.

I can tell members of the government right now that we expect this process to change and we will be insisting that this process change as of 25 June, bearing in mind all the time that the object still must be to make Canada whole by including Quebec, and yes, it is now crystal-clear to all of us, to make Canada whole by including its first citizens in the making of the new Constitution, and to make Canada whole by including those who have come from all over the world to make this country their home.

Canada is an idea and a reality that is worth fighting for. It is also worth working for and worth making compromises for, worth our rising above partisan politics in an attempt to fashion it. I shall continue to do that as Leader of the Opposition.

I say to members of the House and I say to the Deputy Premier, who was once Leader of the Opposition, I have not been able to persuade all of my colleagues that the position I am advocating is the correct one. I respect their right to voice their concerns because of their abhorrence at the process and because of the view that they have expressed today with such eloquence that they will not all of them be voting on the same side as I will be voting.

I think it is only natural, in a country that is as divided and a province that is as divided that these divisions be reflected in the life of all of our political parties. That is a reality that I have to contend with.

I want to say to all the members of the House that as much as some of us might like this issue to go away, as much as some of us might like it simply to disappear and evaporate, it will neither disappear nor evaporate. We are in the middle of this.

We must find a way to bring Quebec in. We must find a way to include our native people not only in the process but also in the body and in the substance and in the language of our Constitution. We must find a way to do that together and we must find a way to do it in a way that builds trust in this place between us, as well as trust between leaders and the people of the province.

Mr Speaker, I see you are giving me a hand signal. I will very gladly pass on the torch to whomever is speaking next and say that I shall be voting in favour of the resolution.

Hon R. F. Nixon: I am honoured to be able to speak on behalf of my colleagues on this important resolution. Perhaps a word of explanation should be made before all of the cognoscanti leave the room, and that is that the Premier is on his way back from Newfoundland. Whether or not it is an omen, he has been faced with substantial headwinds and will be somewhat delayed in taking his place here in the chamber. When he does, with your permission, sir, I would certainly like to surrender the floor to him. I hope that he will be here to add his views to this important debate and certainly to cast his vote, leading the government and the Liberal Party in support of the motion that is before the House.

I appreciate the fact that the two opposition parties are having what might be called a free vote in this connection. I can recall being leader of the official opposition and leader of the third party on occasions when that turned out to be the better part of valour. I understand the circumstances that when there is no choice, you might as well do it that way. The Liberals, however, are going to be unanimous in their support of the

resolution, and now that I have driven the Leader of the Opposition out, I can probably relax a bit more.

I think perhaps it might be worth just a bit of a summary of the situation as we presently face it, because the honourable members are well aware of the circumstances that lead to the situation which has involved and engulfed and embroiled the nation in really three years of debate. The first two years and 10 months did not seem to catch the attention of the populace, although we had full debate here in the Legislature and, as I recall, all members of all parties supported the Meech Lake amendments, as they are called.

There has been a refinement of views as members of the Progressive Conservative Party apparently and the New Democratic Party have had some second thoughts and there is nothing the matter with that, particularly as this motion calls for some parallel matters that will be enacted once the Meech Lake accord has been accepted by all provinces, as we hope that it will be.

1720

The debate over these many years has, in many respects, been quite productive. Most of us were active in politics at the time of the separatist government, the Parti québécois government, in the province of Quebec and most of us remember the very night on which it was elected and the feeling that in fact the division of our nation was possible. We survived that government, its changes in policy and its replacement by a government that was not dedicated to the breakup of the nation, headed by M. Bourassa, who is an outstanding leader in his own province and in the country.

But at the time of the debate and the vote on the referendum in Quebec, it was a clear commitment, given not only by the government of Canada but by politicians right across the nation, that an accommodation of Quebec leading it into full Confederation would be arrived at. We know that the government of Quebec brought forward its proposals that were discussed under the chairmanship of the Prime Minister at Meech Lake, and there was a unanimous agreement of the leaders of the provincial governments with the government of Canada at that time.

We went on to debate these matters in this House, and there was a very full debate, followed by unanimous support. That was not the case in two of the other provinces, New Brunswick and Manitoba, for reasons that we are familiar with. Newfoundland, using its independent prerogatives, rescinded its approval with the election of a new government and a new approach to these important and sensitive policies.

We now find ourselves running out of time as we approach the final decision on at least these Meech Lake amendments, and it is our hope that our position here, which accommodates essentially the government of New Brunswick and other governments in approving parallel requirements for the improvement of the Constitution, will lead to approval in all of the other legislatures and the signatures of the heads of government on these constitutional amendments.

It is difficult to determine whether that is going to be possible in the days, in fact hours, that remain in the limit. I heard the Premier of Ontario, when asked about this, say that he is an optimist. It is too early to hang crepe, and it is possible that the legislature of Newfoundland will in fact approve the Meech Lake proposals before the end of this week, that debate may very well be forthcoming in the legislature of Manitoba, and since the leader of the government there and the two opposition leaders have all indicated their support for the Meech Lake proposals with the accompanying parallel recommendations,

that once it comes to a point, we can have an expectation of approval there as well. So it is possible that this is going to be accomplished before the rather artificial deadline of 23 June.

We all know, however, that even if that is achieved, there has been, as a result of the debate across the nation, a new focusing on differences rather than a commitment to uniformity in our nation. It is something that we are all going to have to deal with, whatever the outcome of the particular resolution here and in the other provinces.

One of the areas of major concern for me has to do with the role of the first nations, the Indian community, in our constitutional affairs. The members of the Legislature will undoubtedly be aware that the first nation community of Six Nations, which is the most populous in Canada, is in the constituency of Brant-Haldimand, and I have the honour to represent it. The first part of the name of the constituency itself, Brant, is from the Indian chief who led the Six Nations out of what is now largely the state of New York into this part of Ontario, and Haldimand is the name of the governor who was instrumental in granting them the very large and productive lands lying six miles on each side of the Grand River, from its mouth to its source.

This band of Indians has, in a sense, had a large degree of self-government for many years. They are progressive and run a very effective local government indeed. I will not make any comments about their party allegiances, other than to say that I have never had any reason to complain about that—other than to say that most of them feel, under their tradition, that rather than being citizens of Canada, they are allies of the crown. In that interesting area, while they may not call themselves “distinct,” are very proud of their heritage, which gives them a difference when it comes to the application, certainly, of the laws of Ontario and the special legislation before the government of Canada.

As their spokesman, I certainly want to see that their role in constitutional changes and the strengthening of the first citizens' role in our Constitution is recognized and put in such a form that both now and in the future it will be recognized by governments at this time and their successors going down into the future of our nation.

[Applause]

Hon R. F. Nixon: I appreciate the fact that the member for Brantford, with his usual perspicacity and enthusiasm, applauded my last comment. He, of course, represents the city of Brantford, which was also named for the great Indian chief, and there are many of the citizens and residents of that particular first nation community who have an important role to play in the development of that great city.

We are looking at a situation where the future of our country is very much at stake. We listen to our fellow citizens as they listen to news hour by hour as the time runs out and feel, along with them, that perhaps we have heard enough of the debate and that it is time for the elected representatives, ourselves and others in other legislatures, to debate the matter, come to a conclusion and cast our votes.

There is a good deal of confidence in this chamber that in fact the submissions that were agreed to by the premiers at Meech and those that are put forward in this resolution will be agreed to and that we can put this behind us and have a piece of paper upon which the signatures of the leaders of the various provincial governments will be affixed, and we will have a sort of solution to our constitutional problems both now and in the foreseeable future.

[Applause]

Hon R. F. Nixon: I would like to think that my statement was greeted with such a round of applause. But rather, I am very, very glad indeed to welcome the first minister of Ontario back to his seat and welcome him back from an important visit to our sister province. We listen with a great deal of anticipation and interest to his views, as I would now ask him to participate in this debate.

The Acting Speaker (Mr Cureatz): It is my understanding then that the remaining 20 minutes is to the governing party. The Premier now will conclude the remarks.

Hon Mr Peterson: Thank you, Mr Speaker, and let me thank at the outset my colleague the member for Brant-Haldimand. He is not usually accustomed to speaking at such great length in this House, and I appreciate his helping me out, because I just arrived this moment.

I can share with my colleagues in the House that I have had really a very unique experience in this country being able to speak in two legislatures in the same day. I must say that I was impressed as I flew back from St John's just now in the plane for about four and a half hours. Recognizing that I still had not covered half the country, I had a sense of the enormous expanse of this country and its obvious differences that are part of any geographic mass as big as we have in Canada.

I had time to reflect when I was in Newfoundland and meeting with Premier Wells and his colleagues in the Legislature how unique that particular province is. It is distinctive in many respects. There is a homogeneity about that province that is not similar in many other provinces. They do not have the same kind of language tensions that others have, for example New Brunswick, or the same kind of pressures that we have in dynamic, multicultural communities like Toronto and Ontario. Indeed, when I look across the country, I think one could say that about almost every province that we have.

The genius, I think, in the last 123 years is that we have been able to put that all together under one broad umbrella called Canada and that we have always been able to find more things that we have in common than that divide us.

1730

I was struck, when I was in Newfoundland today and yesterday, with the enormous earnestness and seriousness with which the members of the Legislative Assembly are approaching the decision they are making. All of us in this room have followed the recent history of the Meech discussions, but for obvious reasons, it is a difficult decision for them and they are approaching it, I believe, with a solemnity and a seriousness of purpose and, like all members of this House, are passionately proud to be Canadians and will put the Canadian interests first.

I shared my views with them about some of the difficulties in politics—and there is nobody who does not face those—and of the enormous pressures from day to day, good times and bad, and there are polls almost every day that indicate one thing or another. They are different from a week ago and they are different from two weeks ago and they will be different next week and the month after that and the month after that, and next year's poll will not have anything to do with today's reality. The way our children view the world will not have anything to do with today's poll, either.

So I do not view that to be the test of political leadership or the kinds of decisions that, collectively, we have to make. There are other tests that I shared with them and number one is the test of conscience, and I think they are people of great conscience in

Newfoundland, who are taking their responsibilities enormously seriously.

The other test is the test of history and how the judgements of our children and grandchildren will come to bear on the decisions that we make, particularly those that affect them. The problem with Meech Lake is that next week, whether Meech is passed or not passed, it is not going to matter to an unemployed fisherman in Port aux Basques or an unemployed auto worker in Windsor. It is not going to affect in dramatic or immediate ways anybody's life, but I believe over the long haul it potentially could have enormous consequences, political and, as a result of those, economic and otherwise, for the future of our country.

So it is in that context that we have to try to wrestle through an enormously difficult issue. There is probably no issue that this country has been more absorbed in, at least certainly that I recall—perhaps the free trade agreement, but that was an infinitely more complex document than this one. It has been discussed, it has been committed, it has been studied by experts, it has been written about, pro and con, it has been discussed in every coffee shop and every gas station—even Earl's I suspect.

Canadians have become engaged in that debate, probably more now, latterly, than they were at the beginning. Because three years ago, when Meech Lake was originally put together, there was not a great deal of attention. Most people thought what happened then was impossible, and to the surprise of many, we were able to rectify what I considered to be not a recent problem but a problem that has bedevilled this country in many respects since the battle on the Plains of Abraham in 1759. That relationship between the French and the English, between provincial rights and national rights, has bedevilled some of the greatest thinkers and political leaders in this country. It is part of a dynamic and creative tension, but it is also part of the problems that, collectively, we have had to deal with. I will not take members through the recent history, because I know they are all familiar with it.

The problem with 1982 was there were two deficiencies. Even though it was a heroic achievement, the “notwithstanding” clause created great havoc after that with Bill 178 in Quebec. It is one of the things I think most members of this Legislature disagree with, although there are exceptions to that.

Then we had to wrestle, however, with the other glaring omission, which was the fact that Quebec had not signed on. We signed Meech Lake three years ago. It went to various committees of this Legislature. It was seen at the time as a heroic achievement with a high degree of popular support. Things changed quite dramatically. There was a change of elections, change of mood, change of discussion. The debate took on a lot of symbolism across this country and led to a situation that with any luck was rectified a week or so ago, not that anyone of the original signatories to Meech Lake ever contemplated that we would be going through that procedure particularly in that way.

There was, three years ago, a sense that a deal had been made, that signatures were on the line. Responsible ministers, responsible for government parties, had signed their names to a deal. I do not think it is unreasonable to take a thing like that in contemporary life at face value and say, “There is an arrangement there.”

We can all understand, I think, some of the disillusionment of Quebec, when they see that this arrangement that they participated in and were comfortable with, were happy to come back to the constitutional table with, starting to erode province by province for a variety of different reasons. It would lead a

reasonable person to say, "Well, at what point can I trust a political signature?"

It is a known fact that governments change from time to time across this country, but by and large I think the operating rule—not a strict political rule, because I recognize governments do have the right to do otherwise—is that governments honour predecessor government's commitments: legal, political and otherwise.

We ended up in the situation where there were three dissenting provinces that had some very strong views, which went beyond just the original intention of Meech Lake. Meech Lake had only one purpose, to bring Quebec to the table; not to solve Senate reform, not to solve aboriginal self-government, not to do a lot of other things, but just to get them there so we could go on and solve those other problems.

The members know the recent history as well as I do. We were able to sit down, starting a couple of weeks ago, with absolutely intractable positions. If you had taken at face value what was said on this side as opposed to the other side, you would have said it was absolutely impossible. I guess that is the particular genius of Canadians: a little give here and a little take there, a little compromise here and putting the national interest number one in the deliberations. An arrangement was put together that I willingly admit no one would have written on his own. It is not the kind of document Ontario would have written, or Quebec, or Newfoundland or Manitoba, but it got a consensus, like so many other things in life have to be.

Now we have problems in Newfoundland and in Manitoba. I cannot predict the outcome. All I can say is that I am hopeful, that I have great faith in the generosity of Canadians and great faith in their demonstrated love for their country, and I think it will work out. How it will work out, when it will work out, I cannot be precise about at this moment, but I had the feeling for mostly unarticulated reasons that the discussions a week or so ago would work out and indeed they did.

This Legislature did extremely good work on Meech Lake in the hearings. That document has stood the test of time. It provided the intellectual underpinnings for the changes in the new constitutional arrangements of last week, and many of the recommendations that came from here were included therein, be it gender equality, putting section 28 into section 16, changes with respect to nominations for the Supreme Court and the Senate and our aboriginal people, processes with respect to minority languages, work on a Canada clause—an issue, as simple as it sounds, that has bedevilled at least two generations of policymakers, and I think one even could argue bedevilled our Fathers of Confederation 123 years ago as well.

The changes that we have recommended are now, I think, hopefully, going to become a reality and I think all members of this House deserve credit for the work they have done.

1740

I apologize to the leader of the Conservative Party and the leader of Her Majesty's loyal opposition for not being here to hear their contributions. I just want to say again that I understand, if they have any objections or reservations, that they have every right to do so. But they were very constructive in the discussions that were held. Decisions have to be made. I have to make some of those decisions and I have to be held accountable, and I understand that as well. But I do want to say in very personal terms that I did appreciate their support and their attendance at those meetings.

I am told that there has been a lot of discussion about the process. As I said, when Meech Lake was done nobody con-

templated this would be necessary to do again. We thought it had been done. All of us agree, everybody agrees, that the process is woefully inadequate.

I just remind my colleagues, and the Attorney General has made this point before, that prior to 1982 and in 1982 we did not amend our own Constitution. It went to Westminster. The amending process that was set in stone then, in 1982, was a process that we inherited and we did not have the power to unilaterally change that. So we had to deal with that, and as with any new set of constitutional arrangements as they are being litigated in the courts and judgement is being passed, or are being handled by the responsible policymakers, one learns a great deal. I think we have learned a great deal about that. I think we have learned that we want, in the future, to incorporate a much more constructive partnership with the people of this country in developing the Constitution and the various approaches.

It is obvious that there are going to be dramatically different views on almost every subject. That is a fact of life. It is also obvious that at the end of the day elected people are going to have to make decisions and take the consequences for those. But I do believe, and I share the views of my colleagues opposite and on my side of the House as well, that we can make a number of changes. We have ideas. Other provinces have ideas.

I note that in the select committee report it is suggested we strike a standing committee immediately to deal not just with the Senate issue, an issue that I gather my colleagues support, and we had been working on that issue, but to deal with the process issue as well. Can we put forward some constructive ideas on how to build a new kind of amending process for the future? I think that idea is a particularly good one and germane and I will, with the members' support, speak to the House leader to speak to the House leaders opposite.

Perhaps we can strike that standing committee immediately or before the end of the session. It can sit this summer, working on that additional question as well, a new process as well as the matter of Senate reform. I would like to have, with members' blessings, ideas to present to my colleagues and involving the public, involving the people we serve, in that process.

I know, ladies and gentlemen of the Legislative Assembly, that there has been some discussion about the necessity of passing this resolution today and the answer, as I have said before, is that it is not necessary to do it today. We could do it next week. We could do it next year. We could do it the year after that or three years after that. It was only a judgement in order to show good faith with our colleagues.

One of the realities of this discussion is Mr Wells's very strong agenda about Senate reform, and members will realize the passion he brought to the debate on that particular issue. It had been expressed before by Premier Getty and others, but it was his view that we needed not only a way to look at that question—we have a process in place, a commission of all of the provinces looking at the principles, an elected Senate, more representation from the less populous provinces, as well as maintaining the relationships with the House of Commons—but in addition to that it was he who needed guarantees that this would not stall.

As a response to that, Ontario, along with New Brunswick and Nova Scotia, put forward its proposal to, shall we say, make the distribution of the Senate more equal. Some people have problems with that; others do not. I am one of those who believe that Ontario is a strong and confident province, and that because we have unique God-given gifts in this province and

are wealthy beyond the reach of many other provinces, we have a special and unique role to play in Confederation.

I do not think that is just my view. I think many of my predecessors would have taken the same view at the same time. I saw remarkable acts of leadership from many of my predecessors and I admired them all for the nation-building in which they engaged.

When you are the biggest, the richest and the most powerful, you have to help those others. I hear that cry from the regions, the less populous and the less rich provinces, to have a stronger say in the Senate. That is why they want Senate reform. They want to reshape the institutions of this country to make sure that their voices, which are often, they feel, shunted aside, are heard clearly and effectively at the centre of power in Ottawa.

I think we can respond generously and your select committee report supported that principle in general terms as well. I look forward to their labours on this issue and the work that they will share with us so that I can take it to my colleagues at a conference to be held later on this year.

I just want to say again, in conclusion, and I am extending my time perhaps more than I should, to all my colleagues opposite that I thank them for their help and their co-operation. I believe that the signal that is forthcoming from Ontario today will be a salutary one and a constructive one. I believe it will help legislators in Newfoundland and Labrador and in Manitoba come to the proper and correct decision.

Premier Wells has often told me that many people say: "You know, Clyde, you're so much in favour of Senate reform, but you'll never get Senate reform because it's not in the interest of the large provinces to do that. Why would they?" Mr Wells has responded publicly, and told me privately: "You don't understand Ontario. Every time they've been called upon to be generous, they always have been." I have always found that with my colleagues in this House, and I thank them for their help.

The Speaker: As previously agreed, the House decided there would be a vote on this resolution at this time. The question now before the House is Mr Peterson's government notice of motion 34.

Hon Mr Ward: Mr Speaker, I wonder if could perhaps have unanimous consent to limit this to a five-minute bell.

The Speaker: If there are no committees meeting. No? Okay.

Agreed to.

1750

The House divided on Mr Peterson's resolution, which was agreed to on the following vote:

La résolution de M. Peterson, mise aux voix, est adoptée :

Ayes/Pour-95

Adams, Allen, Ballinger, Black, Bossy, Brandt, Breaugh, Brown, Bryden, Callahan, Campbell, Carrothers, Charlton,

Chiarelli, Collins, Conway, Cooke, D. R., Cooke, D. S., Cordiano, Cousens, Cunningham, Cureatz, Daigeler, Eakins, Elliot, Elston, Epp, Eves, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Grier, Haggerty, Harris, Hart, Henderson, Johnson, J. M., Kanter, Kerrio, Keyes, Kwinter, LeBourdais, Lipsett, Lupusella, MacDonald, Mahoney, Mancini, Matrundola, McCague, McClelland, McLeod, Miclash, Miller, Morin, Morin-Strom, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, O'Neill, Y., Owen, Patten, Pelissero, Peterson, Philip, E., Phillips, G., Polsinelli, Poole, Pouliot, Rae, B., Ramsay, Reville, Reycraft, Riddell, Roberts, Runciman, Scott, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Sweeney, Villeneuve, Ward, Wilson, Wong.

Nays/Contre-10

Farnan, Hampton, Jackson, Johnston, R. F., Kormos, Marland, McLean, Pollock, Sterling, Wildman.

Hon Mr Ward: Before reading the business for the following week, I would like to seek unanimous consent to revert to motions.

Agreed to.

MOTION

ORDER OF BUSINESS

Mr Ward moved that notwithstanding standing order 94 the House shall meet to consider government business on the morning of Thursday 28 June 1990.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon Mr Ward: Pursuant to standing order 53, business for the upcoming week is as follows:

On Monday 25 June we will have second reading and committee of the whole House on Bill 220, second reading of Bill 160, committee of the whole on Bill 105, second reading and committee of the whole on Bill 164, second reading of Bill 45, committee of the whole on Bill 175 and committee of the whole on Bill 107.

On Tuesday 26 June we will have third reading of any completed bills, followed by an NDP non-confidence motion with a vote to take place at 5:45.

On Wednesday 27 June we will have third reading of any bills completed, followed by a non-confidence motion by the Progressive Conservative Party.

On Thursday 28 June we will have, in the morning sitting, a motion of the Treasurer for interim supply and in the afternoon sitting any previously unfinished business.

The Speaker: Because of a previous decision by the House, this House now stands adjourned until next Monday at 1:30.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Samia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Clerk: Smirle Forsyth

CONTENTS

Wednesday 20 June 1990

Members' statements

Arts and culture funding	1875
Mr Morin-Strom	
Lumber industry	1875
Mr Pollock	
Paper recycling	1875
Mr Adams	
Lesbian and Gay Pride Day	1875
Mr R. F. Johnston	
Taxation	1875
Mr Sterling	
Giovanni Caboto Day	1876
Mr Cordiano	
Gambling rehabilitation	1876
Mr Farnan	
Rest homes	1876
Mrs Cunningham	
Window on Technology Centre	1876
Mr Matrundola	

Statements by the ministry

Police training	1877
Mr Offer	
Water and sewage utility	1877
Mr Sweeney	
Province of Ontario Savings Office	1877
Mr Mancini	

Responses

Province of Ontario Savings Office	1878
Mr Pouliot	
Police training	1878
Mr Wildman	
Water and sewage utility	1878
Mr B. Rae	
Mr McCague	
Province of Ontario Savings Office	1878
Mr Runciman	
Police training	1878
Mr Runciman	

Oral questions

Ontario economy	1879
Mr B. Rae	
Mr R. F. Nixon	
Taxation	1880
Mr B. Rae	
Mr R. F. Nixon	
Constitutional accord	1881
Mr Harris	
Mr Scott	
Transportation safety	1882
Mr Cousens	
Ms Collins	
Mrs Marland	

Affordable housing	1882
Mr Allen	
Mr Sweeney	
Government facilities	1883
Mr Runciman	
Mr Ward	
Statute of limitations	1883
Mr Mahoney	
Mr Sweeney	
Abortion legislation	1884
Mr R. F. Johnston	
Mr Scott	
Post-secondary education	1884
Mrs Cunningham	
Mr Conway	
Hospital financing	1885
Mr Owen	
Mr R. F. Nixon	
Police practices	1885
Mr Kormos	
Mr Offer	
Response time	1886
Mr McCague	
Mr Fontaine	
Education funding	1886
Ms Poole	
Mr Conway	

Petitions

Village of Belmont	1886
Miss Roberts	
Religious education	1886
Mr Miller	

Reports by committees

Standing committee on administration of justice . . .	1886
Mr Chiarelli	
Agreed to	1886
Standing committee on regulations and private bills	1887
Mr Callahan	
Agreed to	1887
Select committee on constitutional and intergovernmental affairs	1887
Mr Furlong	
Adjourned	1887

First readings

Fire Marshals Amendment Act, 1990, Bill 228	1887
Mr Offer	
Agreed to	1887
City of Thunder Bay Act, 1990, Bill Pr92	1887
Mr Lupusella	
Agreed to	1887

City of North York Act, 1990, Bill Pr87	1887	Mr Jackson	1892
Mr Polsinelli		Mr Grandmaître	1894
Agreed to	1887	Mr Morin-Strom	1894
Empire Club Foundation Act, 1990, Bill Pr87	1887	Ms Oddie Munro	1894
Mr Polsinelli		Mr Breagh	1895
Agreed to	1887	Mr R. F. Johnston	1896
City of Kingston and Townships of Kingston, Pittsburgh and Ernestown Act, 1990, Bill Pr97	1887	Mr Harris	1897
Mr Keyes		Mr B. Rae	1899
Agreed to	1887	Mr R. F. Nixon	1900
City of Vanier Act, 1990, Bill Pr82	1887	Mr Peterson	1902
Mr Grandmaître		Agreed to	1904
Agreed to	1887		
Dinorwic Metis Corporation Act, 1990,	1887	Motion	
Mr Miclash		Order of Business	1904
Agreed to	1887	Mr Ward	
Sioux Lookout District Health Centre Act, 1990,	1887	Agreed to	1904
Mr Miclash			
Agreed to	1887	Other business	
Government motion		Business of the House	1904
Constitutional accord, resolution 34	1888	Mr Ward	
Mr Ward	1888	Adjournment	1904
Mr Allen	1888		
Mr Eves	1889	Lists of members	
Mr Furlong	1890	Members and their responsibilities	1905
Mr Wildman	1891	Committees of the Legislative Assembly	1908

TABLE DES MATIÈRES

Le mercredi 20 juin 1990

Motion émanant du Gouvernement

Accord constitutionnel, résolution 34	1888
M. Ward	1888
M. Grandmaître	1894
M. Morin-Strom	1894



51 1990

51 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Monday 25 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le lundi 25 juin 1990



Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

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Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 25 June 1990

The House met at 1330.

Prayers.

The Speaker: I have a number of items I would like to draw to the attention of the members before routine proceedings.

ROYAL ASSENT

The Speaker: I first wish to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor assented to certain bills in his office on Thursday 21 June 1990.

Clerk of the House: The following are the titles of the bills to which His Honour has assented:

Bill 104, An Act to amend the Mining Tax Act.

Bill 106, An Act to amend certain Acts with respect to Easements and other matters.

Bill 108, An Act respecting Business Names.

Bill 167, An Act to amend the Ontario Food Terminal Act.

Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act.

Bill Pr41, An Act respecting Ottawa Arts Centre Foundation.

Bill Pr60, An Act respecting the City of Ottawa.

Bill Pr66, An Act respecting the Town of Simcoe.

Bill Pr69, An Act respecting AXA Home Insurance Company.

Bill Pr73, An Act to revive Ontario Korean Businessmen's Association.

Bill Pr79, An Act respecting the Township of Guilford.

REPORTS, INFORMATION AND PRIVACY COMMISSIONER

The Speaker: I also wish to inform the House that I have today laid upon the table the second annual report of the Information and Privacy Commissioner of Ontario for the year ending 31 December 1989 and the second report of the Summaries of Appeals for 1988-89.

MEMBERS' EXPENDITURES

The Speaker: Another item I am sure will be of interest of members. I wish to inform them that I have today laid upon the table the individual members' expenditures for the fiscal year 1989-90. As usual, if the members look in their desks here in the chamber, they will find copies of this report.

MEMBERS' STATEMENTS

HEALTH CARDS

Mr Farnan: The Minister of Health has singlehandedly managed to turn back the hands of time. I have recently been contacted by not one, not two, but half a dozen angry Cambridge residents demanding to know why the provincial ministry refuses to recognize the city of Cambridge.

These people have recently received their new Ontario health cards and were dismayed to find addresses listed as Galt, Preston and Hespeler. As members may or may not know, the city of Galt and the towns of Preston and Hespeler were amal-

gamated in 1973, some 17 years ago, to become the city of Cambridge. Residents have struggled long and hard to build a new identity for our community and, through the ministry's carelessness, that has been shaken.

When I contacted ministry staff, I was told that an old computer data bank was used that still listed the old names. They suggested that everyone who received a health card correct the address on the form that came with the new card and send it back to the ministry.

What infuriates me is that we all filled in our correct addresses on the original application form. These forms are intimidating to begin with, but it is downright patronizing to ask for information ministry staff do not appear to read, let alone use.

I think the Minister of Health and her staff owe the people of Cambridge an apology for their blunder. We in Cambridge are proud of our community and expect to be treated with the respect Cambridge deserves. I do not need to remind the members that the new system was supposed to increase efficiency.

CANADIAN PARAPLEGIC ASSOCIATION

Mrs Marland: A few weeks ago, I asked the Minister of Community and Social Services to prevent the closing of four regional offices of the Canadian Paraplegic Association. The CPA was forced to close its Kingston, Sudbury, Thunder Bay and Windsor offices because a Trillium grant to the association ended and the association fell short of its fund-raising target. At the time, Comsoc would not help the CPA make up the shortfall.

I am very pleased that, since then, funding arrangements have been reached and Comsoc has now allowed the CPA's Thunder Bay and Sudbury offices to reopen. On behalf of persons with spinal cord injuries who reside in southeastern and southwestern Ontario, I plead with the Minister of Community and Social Services to extend funding so that the CPA's Kingston and Windsor offices can also reopen. As well, I ask the minister to prevent the possible closing of the Barrie and Hamilton CPA offices this fall.

The Canadian Paraplegic Association has 45 years of history of helping people with spinal cord injuries. The association locates independent living and employment opportunities, funds research and promotes the prevention of spinal cord injury. If the government does not extend further funding to the CPA, spinal-cord-injured persons in some regions will not receive the same level of services as those who live in larger cities. I trust that the government has the wisdom to ensure that all of the CPA's regional offices in Ontario remain open.

PRO-CON FORUM DEBATING LEAGUE

Mr McClelland: The Peel Board of Education has designed a pilot program to allow students with relatively limited experience in public speaking and debating to participate in a forum in which these valuable skills can be developed. The program also provides an opportunity for gifted students in various skills to meet one another and interact on both a social and intellectual level.

Over the past year, the Pro-Con Forum Debating League has been highly successful and will be expanded board-wide to include all senior public schools that wish to participate. Today,

I am pleased to welcome to the Legislature 25 gifted students from Robert H. Lagerquist Senior Public School, all of whom have been successful participants in this debating league. One never knows, but perhaps one of them could very well exercise his or her considerable skills within these walls some day.

Earlier this afternoon, I had the opportunity of meeting with these students and found it to be a truly delightful experience. I have said before in this chamber, and I am happy to repeat again, that notwithstanding the bad news that confronts us from time to time in the press and so on about the state of our youth, we in Brampton, indeed in our province and across this country, are blessed with truly remarkable young people.

In light of that, I believe my colleagues will join in suggesting that our country is indeed in good hands with the future entrusted to these very capable young people. I welcome them here and wish them considerable success in the future.

EDUCATION FUNDING

Mr Philip: What percentage of the operating costs of education in Etobicoke was funded by the provincial government in 1975? The answer is 33.2%. What percentage of the operating costs of education in Etobicoke is funded by the province in 1990? The answer is 0%.

Last week, the member for Etobicoke-Lakeshore and I met with the trustees and administrators of the Etobicoke Board of Education. One of their concerns was the effect of the cutbacks by both federal and provincial governments on English-as-a-second-language programs.

In 1988, the last year for which we have figures, 35% of immigrants to Canada settled in the Metropolitan Toronto area. This has necessitated an extensive ESL program in order to help these newcomers to Canada integrate into our society and become productive citizens. The additional cost to the Etobicoke taxpayers is \$2,000 per student, to provide intensive language instruction in ESL.

In April 1990, the federal government terminated its agreements for the subsidy of citizenship, language instruction and language textbooks. Surely the Peterson provincial government and the Mulroney federal government have some responsibility to pay for the cost of helping new immigrants integrate into our Canadian society. The burden should not fall entirely on a few municipalities, such as Metropolitan Toronto, to pick up the cost.

It is time for the provincial and federal governments to recognize that Metro Toronto taxpayers should not be bearing all the costs of these English-as-a-second-language programs, no matter how worthy these programs may be.

1340

SUMMER EVENTS

Mr Villeneuve: The Legislature will recess later this week, and to help members and Ontarians with their summer plans, I would like to invite everyone to visit the great riding of Stormont, Dundas, Glengarry and East Grenville.

The Treasurer and the Minister of Education both know that my constituency office is located in downtown Moose Creek. Commencing this Thursday, Moose Creek will be celebrating Old Home Week, starting with a youth bicycle rally, a golf tournament and a kickoff bash. On Friday, we will have a dance, beach party, fashion show and volleyball tournament.

The official opening and parade will be on Saturday, featuring marching bands, antique cars and floats. We will also have the Glengarry Pipe Band and a continuous stage show, ending

with a barbecue and dance. The show continues on Sunday, ending in a pig roast and beef barbecue. The organizing committee has agreed not to barbecue any Liberal ministers or members who attend this homecoming weekend.

Also this summer in the great riding of Stormont, Dundas, Glengarry and East Grenville, numerous agricultural fairs will be held throughout the riding. They are the Avonmore, Williamstown, Vankleek Hill, Mountain, Chesterville and Newington fairs and the Merrickville Fair and Steam Show, ending with the Spencerville Fair on the weekend of 7 to 9 September.

Ontario's biggest and best highland games, the Glengarry Highland Games, will be held on the August Civic Holiday weekend in Maxville. Anyone who has not yet been to the games should certainly make an effort to attend this year. There is plenty of room for camping. Onsite accommodation is available from Ottawa through Cornwall. All are welcome.

CARABRAM

Mr Callahan: It is with great pleasure that I remind all members of the House that this afternoon between 5:30 and 7:30, the Minister of Citizenship has graciously agreed to host all of the members as well as many of the representatives from Carabram, one of the world's finest multicultural festivals that is held in Brampton on 6, 7 and 8 July. It is an opportunity for members here and other people watching from the public, to (1) see the great city of Brampton and (2) to attend 16 multicultural events, savour the sights, tastes and sounds without in fact even leaving Brampton.

Transportation service between each of the pavilions in Brampton on 6, 7 and 8 July during Carabram will be carried out by Brampton Transit, so this allows you to enjoy yourself at the pavilions and it also makes certain that people travelling from one pavilion to the other, who perhaps have had something more than apple juice, will be safe.

I invite all members, first of all, this afternoon. Do not forget it—5:30 to 7:30—to see these people dressed in many of the traditional costumes that they wear at the pavilions. I invite members as well to come out on 6, 7 and 8 July and join with a whole host of us and enjoy travel virtually around the world.

POLLUTION CONTROL

Mrs Grier: It finally happened. A judge has sent a polluter to jail. George Crowe of Rednersville, near Picton, has been sentenced to six months for burying toxic chemical waste on his farm 15 years ago. Five points need to be made.

First, amendments to the Environmental Protection Act, setting high fines and jail terms as penalties for polluting, were adopted in 1986 as a result of the Liberal-New Democratic Party accord.

Second, the cost of cleaning up the Rednersville site has run to hundreds of thousands of dollars. It is much cheaper to prevent pollution than to clean it up.

Third, Rednersville residents are being supplied with bottled drinking water. Because we have no legislated drinking water standards, provision of clean drinking water is dependent on the goodwill of government. It is not a right that the citizens can demand or enforce.

Fourth, because we lack comprehensive epidemiological data, residents who believe they are suffering health problems are unable to prove that this is so.

Finally, there is the Goodyear Tire and Rubber Co role in this nightmare. In 1974, Goodyear and Mr Crowe signed a contract in which Mr Crowe agreed to dispose of Goodyear's

waste. The contract was very explicit in letting Goodyear off the hook.

In May the Ministry of the Environment prosecutor said: "I too find it outrageous that the waste left (Goodyear's) plant site under the circumstances it did. This case is not closed."

Right on. We and the residents of Rednersville will be watching the ministry to make sure that the case is never closed until all the culprits join Mr Crowe in jail.

RECYCLING

Mr Cousens: Markham leads the way again. A great place to live and work; a tremendous sense of commitment by our whole community; first in multiculturalism; first in the quality of life; first in every possible category, and now today we add another first to our set of ribbons.

Let me announce and share with the House what is happening with our drink cartons. They will be made into plastic Superwood, the world's first drink carton recycling program. A pilot program has been started under Tetra Pak. The parent company is Tetra Pak Rausing SA of Switzerland. This is the largest world manufacturer of cartons, some 50 billion a year.

We are going to see in Markham the first pilot project where Superwood, a plastic byproduct of an otherwise useless waste, will be collected by the town of Markham in its recycling program. Then technology will bring these otherwise useless cartons together and they, collected along with all the other recyclables, will be put to very good use for the future.

It just takes this kind of initiative to make a community a place to be proud of, where the town and the citizens are all working together to contribute to make this a better place to live. I am proud to be part of that community and proud to see it moving ahead with another positive program in recycling and to protect our environment for the long term.

GOODS AND SERVICES TAX

Mr D. R. Cooke: Under the federal government's proposed goods and services tax, courses taught in either of Canada's two official languages will be exempt from taxation. Private tutoring, of course, is taught in all other languages, however; for example, heritage languages will be taxed. Language classes which are not taught through provincially funded schools will be subject to the goods and services tax if the teacher has an income of over \$30,000 a year.

It is well known that language is the most explicit expression of culture. The taxation of heritage language courses is providing a negative message to the people of Canada who wish to continue to educate their children in the language of their culture. Let me reiterate that the taxation of heritage languages by private tutors is deplorable in a nation which prides itself on promoting a culture mosaic for all of its citizens.

Mr Breagh: Mr Speaker, on a point of personal explanation, I think, I beg leave for unanimous consent to make a brief announcement that will make members on all sides very happy.

The Speaker: Is there unanimous consent for everyone to be happy?

Agreed to.

RESIGNATION OF MEMBER FOR OSHAWA

Mr Breagh: Mr Speaker, I have been here for a while. Members will know that I like this place. I respect the process that gets people in here. I believe very strongly in the process whereby people get here.

I am struck time and time again by the great common sense that people have. They do not always understand political issues the way we, as politicians, do. They do not always respect all the niceties of constitutional agreements and which level of government is responsible for doing what. But in their own way the people, the electorate, when they cast their ballots, have a basic commonsense understanding of the process.

When the time came for me, as it will come for all members here, to think about trying another challenge, the answer to that was yes, but the answer was to stay in politics. So I will be seeking a seat in the federal Parliament. We have a by-election in Oshawa on 13 August of this year and that will occupy my attention for the next little while.

I have enjoyed my time here. I like meeting the people who are here. One of the things that strikes you when you become a little familiar with the process here is that when the members respect one another, this process works very well; when the members do not, this process does not work at all. A Parliament is a funny place; it is not like the American Congress where, very simply, those who have the most votes win.

In a Parliament there are a number of things that have to go together to make the process work, but sometimes it is hard to explain to people on the outside why you keep referring to everybody as honourable members. That is your lifeline. That is your basic answer to that. Most days, they are all honourable people; they can have good days and bad days like you do but, in the end, they are all here for the same purpose, to try to do the best they can for the people they represent. If you believe or accept that tenet, a Parliament works just fine. If you reject that tenet or that principle, a Parliament cannot function. Basically, it means that people on all sides have a common interest, that they have a respect for one another, that they understand the rules and the traditions of this Legislature and any other Parliament, and that the place works.

1350

I like all the old ghosts that float around this building. I like the notion that there have been literally, by now, thousands of people just like all the members in the chamber today who were elected to come here to try to do a job for the people they represent. On most days, that is the prime focus of their being here. That is why they attend question period, go to all the committee meetings and do all that work that people do not see.

I like this place because, as you come in, you meet people who are not elected, who look after the building, the parking lots, the food services in the building and the Hansard. We have probably some of the best-versed security officers in the country who sit here and listen to the debate when no one else is interested in it—and that includes a whole lot of members—but it is their job to be here. Sometimes I have been in this chamber when there were more security guards than there were members. There are lots of times you can be in this chamber when there are more security guards than there are others in the gallery.

It is a funny place. It does not work like any place I have ever experienced before in my life. It has its own little rituals, its own little rules. It is very difficult to explain to people how the place functions at all. It is tough to explain to people that the reason why everybody comes to question period is that it is good entertainment most days, although it is full if insiders' jokes that the rest of the world does not understand. If you want to find cabinet ministers, and their staffs have been denying you access all week long, there is one hour in the day when you know where they will be and they cannot get away from you.

It is a good meeting place. In a sense, I guess, that is what a Parliament is supposed to be, a meeting place, not too fancy, not too spectacular, but a place where ordinary people gather, trade ideas and decide on how their society will function. It is not meant to be, and I do not think it ever will be, a place where the smartest, the most intelligent people in a society gather. If you look around this chamber today, that is certainly true. It is just a place where a good cross-section of any society gathers to discuss what its problems are and to try to find some solutions to those.

It is an imperfect place. I am reminded that on the first day I came into this chamber, a hot issue of the day was Sunday shopping, and on the last day that I leave this chamber, the same hot issue of the day is still here.

Hon Mr Peterson: You haven't accomplished anything.

Mr Breaugh: Well, we have been spinning a few wheels.

There are a few things that have been accomplished while I have been a member. This place has changed a great deal in terms of the members, their activities, the support staff they have, the work that committees can do and the work of the House.

One of the things I am happiest about is that now I do not have to explain to people that there really is a government in Ontario, that there really is a place called Queen's Park and there really is a Legislative Assembly of Ontario. We have raised the awareness just a little bit. I am taken aback sometimes by the amount of scrutiny we get by means of television by the general public. People may not follow the proceedings gavel to gavel, but they certainly have a much better idea of what the political process in Ontario is all about now than they did, say, 10 or 15 years ago.

As I leave this chamber, I do not leave with any regrets. I hardly ever do anything with any regrets. I liked the time that I spent here. I liked the people I had to work with during the course of that. I did not find everybody to be my cup of tea. I sometimes argued with people, occasionally; sometimes I agreed with people, occasionally; sometimes I said things that were not quite the politically popular thing to say. But for those members who have known me for a while, that is the onion they have to deal with. There is no other way to explain it, and I think most members, when they have been here for a while, will come to roughly the same point of view.

We get a little carried away with party politics in this country, I think, and a little bit more with party discipline than even the Mother of Parliaments. I have found, in all parties, people who are good, honest people trying to do a job, and that is the bottom line. There are no great wizards here. There never have been any fantastic people. Those are all created by others who observe the process here.

My experience has been that this House is constantly full of people who have good intentions and who work very hard. It is a process that you either love or leave. There is no question about that in my mind; if you do not love the political process, if you do not enjoy the partisan games that go on, if you cannot participate actively and comfortably in that process, you will not stay around very long.

I am reminded, as I look around the chamber this afternoon, that there are a number of members who have served here as long as I have or longer, who have decided that now is the time to try to put their mind to some other things. I know those members have worked hard while they have been here. I know that we share a lot of things in common.

I will conclude with this: It is sometimes difficult to explain to people how you can argue so long and so hard with somebody, disagree with them on almost every point that is up for discussion and still have them as a friend. That is one of the marvels of politics, I think. That is one that not many people can understand, how you have have something akin to armed combat with somebody for an hour and then still remain people who can cool off, talk about things, talk about common problems.

This has been a great learning experience for me. I do not know whether I am going to win the by-election in Oshawa, but I am sure going to give it a try. I understand there are a lot of things wrong in Ottawa these days, and I am going to go down there and abuse some people down there for a little while. You will not have me kicking you around any more, but I am sure there will be somebody else from Oshawa, not as obnoxious as me, perhaps a little more polished and a little more polite, but that will soon wear off. It will not take the new person long to learn how to survive in here.

I have enjoyed all of the people I have met. I have enjoyed the process immensely. I have enjoyed being one person who did a little bit with a whole lot of other people to change this process in Ontario substantially. That, I think, is the second major lesson you have to learn when you come here: There is no member who does something all by himself or herself. The members here are powerless, just as people are powerless. What gives them an ability to accomplish things is their ability to work with other people in their own party and in other parties. That is really what the political process is all about.

I look forward to continuing that challenge in another forum. I have enjoyed that challenge here.

Mr Sterling: Mike Breaugh is a New Democratic member who I really like—he is one who is retiring. At least, he is going to pasture, I suspect perhaps to greener pastures if he is more successful at the next by-election in which he is running, in August.

We know him because not only has he participated and has a great ability to communicate with people in this Legislature, but I do not think there is any other member who understands issues in a quicker way than Mike Breaugh. That is not saying his judgement is correct in all cases, but Mike Breaugh has been able to bring a sense of common sense to this Legislature, often uncharacteristic of many members speaking in this Legislature.

Shortly after 1977, when I first got to know Mike, when I was first elected to the Legislature, Mike ran for the leadership of his party. He did a tremendous job and received substantial support during that leadership convention. I think ever since that date he has been looked on in the New Democratic Party as a leader within that party.

I have had the opportunity to sit on several committees with Mike over the past 13 years and, in particular, I have sat with him on the standing committee on procedural affairs, which was the forerunner of the standing committee on the Legislative Assembly.

1400

Mike has written, as you know, in the Canadian Parliamentary Review about our parliamentary process and has sought changes to our parliamentary process, particularly in the last three or four years, when he and I and the member for Middlesex sat on many occasions to try to draft new standing orders for this Legislative Assembly.

I believe that Mike brought to those discussions a practicality that was very necessary in order for this Legislative

Assembly to evolve into a practical living place so that people would have a better opportunity to understand what we are doing here and relate what we are doing here more to their day-to-day lives. I think he has given a tremendous amount to that.

I might also add that Mike has been supported very strongly by his family and by his staff in his endeavours here and often talks of his children and their accomplishments. I always mark that as an excellent example of character in terms of a member of this Legislature, even in the midst of the most heated debates.

There is not usually very much that is hidden in terms of his opinions on various matters. He is forthright and straight in bringing them to the fore. I always have admired that in his character. He has brought to our Legislature a lot, and he will leave a lot in the improvements he has made to the process here in this Legislative Assembly.

I look forward to his going on to greater things perhaps, maybe or maybe not, in the political process. I do know this: Mike will always be interested in what he does, he we always believe strongly in what he does and he will always contribute to what he does.

Mr Ballinger: It is certainly my pleasure to rise on behalf of our party and pay tribute to the member of Oshawa, especially for the Durham members. As all members know, Oshawa is within the region of Durham and we have four or five sitting members here representing Durham region: the member for Durham Centre, the member for Durham West and the member for Durham East.

I was first elected in 1974 to Durham regional council, along with Mike Breagh, who was representing the city of Oshawa. I am a little hesitant to pay very much tribute to Mike today for fear that Cathy O'Flynn, the Liberal candidate running in Oshawa, will phone me up this evening and give me heck.

Mr Breagh: What was her name again?

Mr Ballinger: I wanted to get that on the record just in case he uses Hansard in his brochure.

As I said, I was first elected in 1974. Mike and I were just kids. Mike at the time was a principal in the school system in Durham region, and I was a teacher in my home town of Uxbridge.

I can recall back about early 1975, the then Treasurer of Ontario, the Honourable Darcy McKeough, visited the region of Durham to see how regional government was working. During the course of the discussion we had with our council, Mike really monopolized the discussion with the Treasurer. In fact, if the truth was known, he beat up Darcy McKeough pretty well that day. I recall at lunch there was a little discussion in the corner and I overheard the Treasurer say to somebody beside him, "Who was that son of a gun that asked all the questions today?" That is not really what he said, but I had to clean it up a bit.

Mike was always good with his facts. When I was first elected to the Legislature in 1987, the first member I spoke to was Mike, because this was new for me and I knew Mike from years gone by and I knew that if anybody knew how this system worked in here, it was certainly Mike Breagh.

I think I can sum Mike up in three categories: frank, sometimes maybe too frank; bright—and incidentally, he is much brighter now with his thinning hair—and Mike has always had a good sense of humour. But whenever one wanted to debate with Mike—and he has not lost that touch, because I know him

from back at the municipal level—you certainly wanted to be sure of your facts. Coming here, I have watched him very closely. I have watched him come into the House without any notes, discuss major pieces of legislation that our government has had before the Legislature. Mike would stand up without any notes whatsoever and would really give it to us, factually and from his perspective and the party's perspective, where they were coming from. I have always admired that ability.

I do not think there is one member of this Legislature who has not appreciated the consistency that Mike has when he sits in the chair. He has a great sense of humour, as we all know. Some days in here—in fact, some evenings in here—the tolerance level has to be at the utmost by the person in the chair. Mike has always proven, when sitting in the chair, that he has an understanding and a feel for all three parties within here and where we are coming from, plus the respect for the institution and not forcing, but having each of us as members respect the role of the Chair.

I know that Mike has represented his constituency of Oshawa extremely well. I still have many friends on municipal council who were there when Mike and I were there and are still there. Mike is always in touch with the municipal councillors in the Oshawa area. He keeps them abreast of what is going on as it relates to provincial politics and provincial policies. I know that Mike concentrates very heavily with his staff in his constituency office and always puts his constituents first and foremost. From my perspective as a new member coming in here, I have always admired the way that Mike has worked. I have emulated him in many ways, believe it or not. We are about the same height. I have always appreciated that they did not send a tall guy from Oshawa.

I know that Oshawa has been served well provincially, and I know Mike has already indicated that when his name goes on the ballot in the upcoming by-election federally this summer he will give it his utmost. On behalf of all of us over here, we want to thank Mike Breagh for his contribution to the provincial Legislature for the past 15 years and wish him every success on 13 August.

Mr B. Rae: I want to say a few words, if I might, on behalf of our caucus and very personally, on Mike's decision to retire from this place and to seek election in Ottawa.

I think it would be fair to say that if anyone in the House has been on the receiving end of some of the frankness which has been described in talking about the member for Oshawa, it is the member for York South, and that is me. Ever since I got here, I have come to recognize that Mike Breagh is the sort of colleague who, in one's rational moments, one realizes one needs to have. He is always very blunt, very direct. If there was ever the slightest illusion that a leader might ever have that things were going really well and that there was nothing to worry about, the member for Oshawa was always there to remind one of some of the other political realities of life.

Within our caucus, I think it is fair to say, Mike's advice has been consistent, it has been tough, it has been practical and it has been, in every best sense of the word, advice that has affected the views of caucus, always. In terms of policy and of issues that are facing us, he is someone who has been a leader and who has been a very valued colleague to all of us in this group.

Much has been said about Mike's qualities in this place. I can assure the House that whatever qualities he has in this place in terms of speaking his mind, he has in spades when it comes to discussions that we have in that particular and peculiar parliamentary institution known as the caucus.

I also want to say that the citizens of Oshawa have been extraordinarily well served by Mike Breagh. He has given them his very best. He has given them his very best in terms of his judgement, his time and his commitment. I must say I find it very hard to think of the constituency of Oshawa not being represented by Mike Breagh. Like many others, I am delighted he is going to be the candidate in the federal election because I know that he has an extraordinary contribution to make, and to continue to make, to the political life of this country.

On behalf of all of our colleagues, I want to say to Mike, thank you. We wish you the very best in your next political endeavour. We are, believe it or not, going to miss you.

Hon Mr Ward: Before we move to statements by the ministry, I would like to seek unanimous consent so that representatives from all three parties could make statements with regard to the constitutional accord.

Agreed to.

1410

Hon Mr Peterson: Before I start, may I just add a wee personal note and say to the member for Oshawa that he is one of those members who has, I think, earned the respect of all his colleagues in this House. He has ennobled this process, as has the member for Brant-Haldimand. He is in that league. I want him to know that we will miss him and we will miss particularly that Cliff Pilkeyish voice that he brings to this Legislature. I always see this minor incarnation of Cliff Pilkey every time he stands up. I say that with great affection, and I just want him to know, personally, that we will miss him. We thank him for all he has done.

CONSTITUTIONAL ACCORD ACCORD CONSTITUTIONNEL

Hon Mr Peterson: I want to take this opportunity to comment on the failure to secure the passage of the Meech Lake accord and to inform the members of the Legislature of the course of action that Ontario will proceed with in light of the current situation.

Today I believe all Ontarians, and indeed all Canadians, look back at the events of the past few weeks with a mixture of both sadness and frustration: sadness because we were unable to reach down and draw upon a spirit of accommodation and compromise in order to build something in which we could all take pride—we had a historic opportunity to take a major step forward in building a stronger and more united Canada, but that step was not taken—and frustration because we came so very close to doing just that.

Three years ago the first ministers unanimously endorsed a formula and framework for unity and co-operation. We did not at that time anticipate a need for further discussions but, when those discussions became necessary, we again secured the agreement of all first ministers to pass the Meech Lake accord as well as a companion resolution. Even as late as Friday afternoon, we had eight provinces and the federal government that had ratified the accord and a ninth province that had signalled an intention to do so.

Il est important de comprendre qu'au cours des trois années de discussions, jamais la province de Québec n'a été isolée.

Adding to our frustration is the knowledge that the accord drifted into history in such an ignoble manner. It did not die on a matter of principle or substance or vote; it died as a result of misunderstandings, miscalculations and technical manoeuvring.

I will not attempt to minimize or trivialize what has happened. We are in for some difficult times in the days ahead. There is a challenge to which we must all rise. Accordingly, Ontario will be proceeding with the following course of action.

First, we will act to build a strong and united Canada. The people of Ontario want Canada to stay together. I want Canada to stay together and to grow strong. The Constitution is just one tie that binds our country together, but there are many, many other ties. We are bound together by more than 250 years of history, a history that predates our Confederation by more than a century. We are bound together by geography, by economic links and by emotional and personal ties that transcend political boundaries.

Ontario worked to strengthen those ties. It is extremely important that our province continue to build bridges of understanding and to keep the lines of communication open to all regions in this country. To this end, I will be meeting with Premier Bourassa tomorrow in Montreal.

Second, we all understand that a strong Canada requires a strong Ontario. As Canada's largest and most industrialized province and the engine driving Canada's growth, Ontario has a special role to play in ensuring the overall prosperity and standard of living in this country. Canada's economic dynamism is very much dependent on Ontario's economic dynamism. Ontario counts for 38% of Canada's gross national product and the largest portion of federal government revenue. Ontario will continue to fulfil its economic responsibilities and obligations to Canada.

We will continue to move forward with an aggressive economic agenda of attracting new investment, modernizing our industries, creating new jobs, expanding opportunities for job training and improving our level of research and development. Today, for example, and throughout this week I am meeting here in Toronto with the leaders of the most industrially advanced areas in West Germany, France, Italy and Spain to establish new and close economic links and to pave the way for relations with Europe of 1992. It may not be politics as usual for Canada, but it will be business as usual for Ontario.

Faisant partie du processus visant à doter l'Ontario d'une économie forte, nous allons continuer à former de solides lignes économiques avec la province de Québec et les autres provinces aussi. Le Québec est une province que nous respectons et que nous reconnaissons en tant que société distincte.

Il est important d'avoir un Québec fort et dynamique si nous voulons avoir un Canada fort et dynamique. Je ne laisserais rien de ce qui est arrivé au cours des dernières semaines diminuer d'aucune façon les liens historiques émotiionnels, économiques et personnels qui se sont tissés entre nos deux provinces.

Third, we will continue to pursue joint actions with all of our fellow provinces in areas of common interest. When the discussions at Meech Lake first took place, each of the first ministers knew that it was not an end but the beginning of an ongoing process of building a stronger nation. We must now turn our attention to other acts of nation-building, such as building a more competitive economy in order to create jobs, expanding opportunities for job training, establishing a caring and tolerant society and protecting our environment for ourselves and our children. By pursuing these goals together, I hope we can build a new foundation of trust and respect among all the provinces, a foundation that could one day lead, perhaps, to the resumption of constitutional discussions.

Fourth, with the death of the Meech Lake accord it is obvious that the process of constitutional reform has for the

foreseeable future come to an end. Unfortunately, we will not be able to proceed with initiatives in areas that we supported, such as Senate reform and aboriginal rights. There is no longer any reason for the select committee on constitutional reform to continue its hearings on the Senate reform issue. However, as the select committee indicated last week, there is universal agreement that whenever we do return to the constitutional table we will need a new, more open and consultative process.

Therefore, I want to indicate my continued support for the select committee's recommendation that the committee proceed to hold hearings on the future process of constitutional reform so that improvements can be made in advance of any further discussions, should they take place. I hope to discuss this with the government House leader in the very near future.

The task ahead of us is not an easy one. There is a great feeling of disappointment and a recognition that the process of nation-building has been set back. We are embarking on times that will measure the breadth of our national soul and the depth of our commitment to Canada. I say to members and to all Ontarians that I, and I am sure I speak for all my colleagues, will never give up on Canada. We have in the course of our history been tested on many occasions. Had we succumbed, had we given in, we would not have been able to build one of the wealthiest, most dynamic and compassionate societies in the world. It would be a mistake of historic proportions to now let Canada drift into historical obscurity.

It is said that the last spirit to escape Pandora's box was hope. We have in this country seen a number of spirits escape over the past couple of years, but I believe that the spirit of hope is still very much with us. More than hope, we still have the means and the will to build a stronger and more united Canada.

I know that I speak for each and every member of this House when I say that we share a great love for this country, that we are passionately committed to making it stronger and more united, and that we are determined to learn from and rise above the failure of the Meech Lake accord process.

May I also just say to my colleagues opposite that I apologize because I have been in meetings all day and will continue to be, so I will not be able to stay to hear my honourable colleagues' responses, although I am very interested. I humbly apologize to them in advance. I will be attending their remarks and I will get an immediate report on them. I thank members for their forbearance.

1420

Mr B. Rae: I want to say to the Premier that I did not mind his being held up by head winds in Newfoundland when he apparently was not able to be here for the debate in this House on Wednesday, but I find it quite fantastic that whatever meeting he is going to could not wait 15 minutes for him to listen to what I and the leader of the third party have to say on this occasion. I just think it is unbelievable.

When the Premier talks about consultation, his definition of consultation in this House is pathetic. His understanding of the need for consultation among the three parties with respect to Ontario's position is pathetic, and if I may say so, very much symbolized by his statement today. What he said to the House was that he was going to have some consultation, that there were two people with whom he was going to be meeting, the Premier of Quebec and the government House leader. That seems to be the extent to which the Premier of the province is prepared to really consult, understand, listen and learn from the

failure of a process in which he was intimately involved for three years. I think it is important for us now—

Interjections.

Mr B. Rae: I say to members opposite that I listened and we all listened very quietly to what the Premier had to say, and I think we are entitled to have our say as well and get an opportunity to say something because I think we are on this occasion, after this moment, entitled.

Meech is dead, and even before a decent burial, some are already talking about renewing efforts to amend the Constitution. But before we leap, before we even begin to do that—I will have some words to say about what I think the focus of this government and of the political process in this province should be—I think it is important that we learn something from the failure of what has taken place. It is never easy, but I think we have to look at the failure of the process and the failure of the politics of the Meech Lake accord.

There are seven reasons—I understand that the Premier is doing a scrum outside. I do not intend to perpetuate this farce. If the Premier of this province has the time to do a scrum outside in front of reporters, surely he has the courtesy and the time to listen to what we have to say here, just as common decency.

Mr Harris: I think we are in a very unusual situation here. This is not a particularly happy time for Ontario. It is not a very happy time for Canada. As the leader of the New Democratic Party has indicated, we asked for unanimous consent to be in this process in the first place at this particular stage of our Legislature at the request of the government House leader and the Premier. Mr Speaker, I realize that the rules of the chamber say the Premier can ask for that, I guess, and make his comments and then run out and meet with the media, but I must tell you that I, as well as the leader of the New Democratic Party, find it very offensive. I do not know at this particular point how we deal with this, but I suggest that you cannot ask for unanimous consent for something for all three parties, take your party's time and then walk out to meet with the media.

I would suggest—I realize it is unusual and perhaps we need unanimous consent to do it—that we adjourn this chamber until the Premier can come back and complete what he asked us to do.

The Speaker: We had unanimous consent for comments from all parties. I have recognized those members. Therefore we will continue with the business of the House.

Mr Harris: Mr Speaker, maybe I was not clear enough. I would ask unanimous consent to recess until such time as the Premier can allocate 15 minutes in his daily schedule to come back to what he asked us to do, which was to discuss Meech Lake and to offer our viewpoints. So I would make that request.

The Speaker: You have heard the request. Is there unanimous consent? No.

Mr B. Rae: On a point of order, Mr Speaker: I just want you to know that it was the government House leader who asked that the speeches about the member for Oshawa retiring be made first. I want you to know this is all very much a setup of the government. The Premier has never been willing to be here to listen to the music with respect to the Meech Lake accord—never, never, never.

Interjections.

The Speaker: Order. The next item of business will be statements by the ministry. The Minister of Labour.

Hon Mr Phillips: I am pleased to announce today an increase in the general minimum wage.

Interjections.

The Speaker: Order.

Mr Harris: On a point of order, Mr Speaker: I do not believe we have resolved this situation to where this House could proceed in any type of normal fashion. Either we recess or we continue this, or we set another time when we are going to do this. If you want to move on, that is fine, that is one thing; but I am not prepared to move on until we have a resolution as to when we are going to hear, with all three leaders in the House, from the Leader of the Opposition and from myself on the issue that this government asked for unanimous consent.

The Speaker: Order.

Mr Harris: So I would ask that we adjourn this part of the proceedings and come back to hear from the Leader of the Opposition and myself on this important topic.

Interjections.

The Speaker: Order. The member made a request. I put it to the members of the House. I put it and there was not unanimous consent.

Hon Mr Ward: I would be happy to discuss with my colleagues in the other two parties to see if we can arrange another time, but not today. It is not possible.

Interjections.

The Speaker: Order. The next item I called for was ministerial statements.

Interjections.

The Speaker: Order. The Minister of Labour.

Hon Mr Phillips: I am pleased to announce today an increase in the general—

Mr R. F. Johnston: No. No statements.

Interjections.

The Speaker: Order. The Minister of Labour.

Hon Mr Phillips: I am pleased to announce today an increase in the general minimum wage to \$5.40 an hour from the present level of \$5—

Mr R. F. Johnston: No. No statements.

Mr Cousens: Sit down. You should be ashamed of yourself.

Mr R. F. Johnston: Call an adjournment to see if the House leader can work out a deal.

Interjections.

The Speaker: Order. The Minister of Labour.

Hon Mr Phillips: I am pleased to announce today an increase in the general minimum wage to \$5.40 an hour from the present level of \$5. The change will take effect in the workweek in which 1 October occurs. The working poor are the main beneficiaries of the increase as this government continues its resolve to raise the purchasing power of the minimum wage—

Some hon members: No, no.

The Speaker: Order.

Mr Laughren: We told you, we're not interested.

Interjections.

The Speaker: Order.

Mr R. F. Johnston: We're going to have to adjourn the House. This place is too unruly. You'll have to adjourn the House.

The Speaker: Order.

Mr Farnan: The Premier is abusing the House, Mr Speaker. How are you going to defend a Premier who is using the House?

Interjections.

The Speaker: Order. Statements by the ministry; the Minister of Labour.

Some hon members: No, no.

Hon Mr Phillips: Mr Speaker, I am advised by the House leader that we will make this statement tomorrow.

Some hon members: No, no.

Mr Farnan: You can't defend this Premier. He's abusing the House.

The Speaker: Order.

Interjections.

The Speaker: Order.

Mr Pouliot: Nice day for a parade. Let's adjourn, Mr Speaker.

The Speaker: The Speaker has the right to recess the House if there is disorder.

Interjections.

The Speaker: Order.

Mr Farnan: Wasted time. The Premier has ruined it for today. It's the Premier's fault. Everyone knows it's the Premier's fault.

The Speaker: Order. Minister of Labour.

Some hon members: No, no.

The Speaker: Order. I have no choice but to recess for five minutes.

The House recessed at 1432.

1437

The Speaker: Statements by the ministry?

Some hon members: No, no.

Mr Reville: On a point of order, Mr Speaker: As the whip of the New Democratic Party, I think it might be appropriate at this time to have a further recess to see if the House leader for the government and the House leader for the third party can work out some kind of resolution to the situation in which we find ourselves. We believe our privileges have been very much abused by what is going on here. We did not have an opportunity to have any discussion whatsoever with the government House leader during the short recess, and I would ask for unanimous consent to have a 10-minute recess or a five-minute recess to see if we cannot figure out some way to allow this day's work to go ahead.

The Speaker: Your request was for a 10-minute recess? Is there agreement?

Agreed to.

The House recessed at 1439.

1449

Mr R. F. Johnston: On a point of order, Mr Speaker: I just want to lay on the table the fact that I believe this should be a point of privilege officially raised by members on this side, rather than just the voiced complaint it has been to this point.

What we have had is, I think, a real abuse of a rule, a habit and a procedure in this House over the last number of years, which is the requesting of all-party consent to deal with important matters. It is normally assumed that a person who is going to participate, even on a minor level, in that debate remembering some particular day or some particular group in our society will stay to listen to the responses of the members from the other two sides.

But what we have had today instead has been a very important matter, the matter of Meech being dealt with, being raised specifically by the government, which asked for a specific time at this stage even though some on this side had suggested that we might do it right at 1:30 in order to accommodate the needs of the government. Then the Premier gets up as the major spokesperson for the party and announces at the end of his statement, not at the beginning of his statement but at the end of his statement, that he must leave and cannot stay to listen to the leaders of the other two parties. He then proceeds to go outside, not having time for us in this House, to have an impromptu meeting with the press for several minutes before he goes on to the important meeting that he had scheduled.

Surely the thing to have done, again in the normal traditions of this House, would have been to have advised the two leaders of the opposition parties in advance about the constraints the Premier was under and to have suggested to the people who were waiting for him that he would be obliged to listen to short speeches by the two members of the opposition because that is the tradition of this place. Instead, now we have a furore in this House because of the fact that those traditions were not followed. All of us on this side feel that our privileges have been abused and that a unilateral statement has been coming forward from the government, not a three-party statement, on an important matter to do with this nation. That is why we are feeling so aggrieved; this is in fact an abuse of our privileges and a breaking of the kinds of precedents and procedures that this House normally uses.

Hon Mr Ward: We have had some discussions and I believe we have arrived at an agreeable solution. I just want to say this to all members of the House: It is true that earlier in the day the discussion did revolve around having unanimous consent as early as possible. Unfortunately, a call was received and the Premier was held up, I believe, at the island, could not get here on time and at that point it was suggested we go ahead with our tributes to the retiring member for Oshawa. I just want to put that on the record. That is what transpired. Unfortunately, we ran into a very serious time difficulty. I would suggest that we revert back to the unanimous consent on Wednesday when the Premier will be here following members' statements. If that is understood, then I suggest we proceed with the business of the House today.

Mr Sterling: Unfortunately, my party cannot agree to that proposal. We find the absence of the Premier at this time absolutely unacceptable to our leader; the response is necessary today when in fact it is in front of the Ontario public and we

just see no purpose in carrying forward the discussion on Wednesday next when the time for the proposal will have passed.

I apologize to the government House leader in terms of the discussion which took all of about three seconds downstairs. I did not have an opportunity to consult with anyone following that proposal, which was new to me at that time. Therefore, we do not think that is a satisfactory proposal and we think that we should continue to adjourn the House until we can reach an agreement.

The Speaker: The member for Scarborough West got up on a point of privilege. I find it somewhat difficult to consider that a point of privilege because the Chair really has no jurisdiction in saying that any member has to be in this House. I do not think that is for the Chair to decide. It is my job to continue the business of the House in as orderly a fashion as possible. There was a request for unanimous consent for next Wednesday. I do not know whether that is a usual custom. That seems a little distant to make such a decision, but there would not be unanimous consent anyway, so I will call for statements by the ministry.

Some hon members: No.

The Speaker: I call for the Minister of Labour.

Some hon members: No.

The Speaker: There are no statements? The next order of business will be oral questions.

Mr R. F. Johnston: On a point of order, Mr Speaker: I wonder when this House will provide the members of the opposition a time that they can speak on this important matter with the attendance of the Premier.

The Speaker: I really do not know whether that is a point of order.

Mr Kerrio: Good question.

The Speaker: It is a good question, so I will call for oral questions.

Interjections.

The Speaker: There is a request to stand down the two leadoff questions. Agreed?

Agreed to.

Mr Brandt: On a point of personal privilege, Mr Speaker: Clearly the House is in a shambles right now as a result of absolutely no agreement among any of the parties on how we can proceed beyond this point. It is my view that the five- and 10-minute recesses that have been graciously offered by yourself in order to break the impasse have been insufficient for the parties to get together and to resolve what has become an extremely complicated and difficult problem.

There is annoyance on this side of the House over what has transpired, Mr Speaker, and as a member I would ask you, if we want to proceed in a somewhat reasonable fashion, that you give a reasonable period of time for a recess in order to determine how we take the next step. Otherwise we are going to be attempting to resolve this matter on the floor of this House and it is not the appropriate forum for that to be done.

I would recommend strongly that the advice of my colleague be accepted in this particular regard and that at the very least we have a minimum 30-minute recess at this point to see if we can find a way to break the impasse.

Hon Mr Ward: Mr Speaker, we just finished a 10-minute recess.

Mrs Cunningham: We couldn't even meet.

The Speaker: Order.

Hon Mr Ward: At the beginning of that recess, I suggested to my counterparts that we meet in the House leader's office. They arrived with about a minute left in that recess.

Mr R. F. Johnston: They haven't communicated.

Mrs Cunningham: We haven't communicated with each other in the caucus.

Hon Mr Ward: I know they have trouble communicating with each other, Mr Speaker.

Interjections.

The Speaker: Order.

Hon Mr Ward: Mr Speaker, as I indicated, and as the Premier indicated in his statement, he will be meeting with Mr Bourassa tomorrow. He will be back on Wednesday. We have agreed to continue the unanimous consent for response on Wednesday with the Premier in attendance. If the suggestion is that we find other hours to sit, maybe we could discuss that. I think a 30-minute recess is far more than appropriate, considering the business that has to be done. I would be quite willing, if the House leaders of the other parties can find their way to sit down, to undertake another 10-minute recess. We can take it from there.

Interjections.

The Speaker: Order. Just to recap what has taken place here, I called for oral questions; two were stood down. Then, I believe, the member for Sarnia made a suggestion; it was responded to by the government House leader. I appreciate the suggestion made by the member for Sarnia. However, it is not my job as Speaker to decide whether or not there should be a five-, 10- or 30-minute recess until the House leaders make a decision. It is up to me to operate the House as efficiently as I can. If someone would like to make a suggestion—

Hon Mr Ward: Mr Speaker, I would seek unanimous consent for an adjournment and suggest that there be a two-minute bell prior to the House resuming. That way we can see how long it takes to sort this out.

The Speaker: I listened to the government House leader. He said an adjournment; I hope he means a recess.

Hon Mr Ward: Recess.

Mr R. F. Johnston: I heard adjournment.

Mrs Cunningham: He meant recess.

The Speaker: I would like to inform you that of course this must be within the regular sitting time. I hope it is understood that you will come back; otherwise I will miss my dinner.

The government House leader has suggested that there be a recess with a two-minute bell before returning. Is there unanimous consent?

Agreed to.

The House recessed at 1501.

1640

BUSINESS OF THE HOUSE

Hon Mr Ward: Before putting forward a motion to adjourn the House, which I believe has been agreed upon, I want to indicate some further changes in the business for the week, if I may do so before putting that motion.

Tomorrow in the afternoon following routine proceedings we will proceed with the first order, which is third reading of Bill 114, and the fourth order, third reading of Bill 177, then a government motion under standing order 9 and from there proceed with a New Democratic Party non-confidence motion, to be voted on at 5:55 pm.

On Wednesday, following a non-confidence motion by the Progressive Conservative Party, which will be voted on at 5:55, we will proceed with interim supply and assorted other orders—the 58th, the 24th, and I will provide a further list tomorrow.

Mr Speaker, I would now like to move that the House adjourn until tomorrow afternoon.

COMMITTEE SITTING

Mr Pollock: Is it out of order to ask for unanimous consent of the House for a committee to meet? I have had delegations come in all the way from Hastings county. We would like that committee to meet just to hear their briefs. There are also people from the ministry there wanting to make a presentation, and they say they cannot come back again.

The Speaker: What committee is that?

Mr Pollock: The standing committee on resources development.

The Speaker: Is there unanimous consent?

Agreed to.

The Speaker: I would also like to advise the House that our standing orders states that when a day is set aside for want-of-confidence motions that shall take the full day, so I would ask at this time if there is unanimous consent to have that other business before on those two days?

Agreed to.

The Speaker: There is also a request for unanimous consent for the motion for the House to now adjourn. Is there unanimous consent?

Agreed to.

The Speaker: Mr Ward has moved that the House do now adjourn. Is it the pleasure of the House that the motion carry?

Motion agreed to.

The House adjourned at 1644.

ALPHABETICAL LIST OF MEMBERS
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Parliamentary precinct

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Members: Gilles Pouliot, E. Joan Smith and Noble Villeneuve

Clerk: Smirle Forsyth

CONTENTS

Monday 25 June 1990

Royal assent		Other business	
His Honour the Lieutenant Governor	1911	Reports, Information and Privacy Commissioner . .	1911
		The Speaker	
Members' statements		Members' expenditures	1911
		The Speaker	
Health cards	1911	Resignation of member for Oshawa	1913
Mr Farnan		Mr Breaugh	
Canadian Paraplegic Association	1911	Mr Sterling	
Mrs Marland		Mr Ballinger	
Pro-Con Forum Debating League	1911	Mr B. Rae	
Mr McClelland		Mr Ward	
Education funding	1912	Constitutional accord	1916
Mr Philip		Mr Peterson	
Summer events	1912	Mr B. Rae	
Mr Villeneuve		Mr Harris	
Carabram	1912	Mr Ward	
Mr Callahan		Business of the House	1920
Pollution control	1912	Mr Ward	
Mrs Grier		Committee sitting	1920
Recycling	1913	Mr Pollock	
Mr Cousens		Adjournment	1920
Goods and services tax	1913		
Mr D. R. Cooke		Lists of members	
		Members and their responsibilities	1921
		Committees of the Legislative Assembly	1924

TABLE DES MATIÈRES

Le lundi 25 juin 1990

Divers	
Accord constitutionnel	1916
M. Peterson	

Second Session, 34th Parliament

Tuesday 26 June 1990

Deuxième session, 34^e législature

Le mardi 26 juin 1990

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 26 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

LANDLORDS' RESTRICTIONS ON PETS

Ms Bryden: With the legislative session running down this week, I urge the Attorney General to make it a top legislative priority to pass his belated amendments to the Landlord and Tenant Act relating to eviction of responsible pet owners.

The New Democratic Party House leader asked all three House leaders to agree to this last week. I am told that some of the persons answering the Attorney General's phones are blaming the New Democratic Party for opposing quick passage, which we categorically deny. We urge the Progressive Conservative Party to join us in urging quick passage this week.

I would also suggest that the Attorney General amend his Bill 225 to remove the serious flaw in the amendments which puts the onus on pet owners to prove that their pets are not a nuisance or a cause of problems to other tenants. The onus should be put on the landlords.

The huge number of phone calls from pet owners coming into all of our offices as a result of a humane society mailing on the issue indicates that thousands fear they will be forced to get rid of their pets or move if the amendments are not passed this week.

It is time the Attorney General introduced a standard lease which would outlaw no-pets clauses and prevent landlords from using such to intimidate and harass tenants whom they seek to evict for economic reasons. Other provisions of the Landlord and Tenant Act can deal with problems caused by irresponsible pet owners.

GOVERNMENT'S RECORD

Mr Jackson: Today marks a very special anniversary in our province, the 14th anniversary of the CN Tower. Coincidentally, today is also the fifth anniversary of the Ontario Liberal government. So today, we pause to remember two great shafts, one a monument to engineering excellence, the other to untrammelled expediency.

We pause to remember the Premier in his first appearance as Captain Canada, when he took on the free trade deal. And when the fight broke out, he took a dive.

We pause to remember Ontario's Attorney General, a man as energetic as he is inept, with his relentless talent for being wrong before the Supreme Court of Ontario, wrong about Sunday shopping and wrong about the Patti Starr inquiry.

We pause to reflect on the accomplishments of the Minister of Industry, Trade and Technology, whose major achievement has been to accumulate more Aeroplan points in a shorter time than any other minister in the cabinet.

We take a moment to recall the long list of scandals, forced resignations and broken promises.

But for me, nothing sums up better the Liberal legacy than this morning's report of the Treasurer's prediction that in the future it could cost home owners up to \$40 to water their lawns. No surprise there, because as we have seen time and again

during the past five years, under a Liberal government only the taxpayers get soaked.

It was Pierre Trudeau who taught us that Liberal governments fall when they run out of promises and run out of money. The David Peterson Liberal government will ultimately fall because of its broken promises and for breaking the backs of Ontario taxpayers.

ESSAY CONTEST

Mr Owen: The area of Simcoe county that my riding covers has a long and interesting history. In order to promote an awareness of this history among young people in my riding, I sponsor an annual history essay contest for students in grades 7 and 8. The theme for the essay contest was to be a person, place or occurrence of local historical significance. Invitations were sent to all the public and separate schools in the riding encouraging their participation. More than 70 essays were received from schools throughout the riding for this, the third annual contest. The essays were marked by an independent panel of judges.

This year's winner is Lori Gibson, who has just graduated from the eighth grade of Innisfil Central Public School. Lori's essay was about Bethesda Methodist United Church, a most interesting and enlightening look at a part of our local past in Innisfil township.

Lori is to be congratulated on a job well done. Lori is the top athlete, top academic student, top public speaker and top all-round student from her school. Lori is here today with her teacher-mother, Shirley Gibson, and her class teacher, Judy Kennedy. I would like to take this opportunity to welcome them to the Legislature. I would present to the House today, Lori Gibson.

HANDGUN REPLICAS

Mr Farnan: Ontario's Solicitor General wants the federal government to tighten gun control laws in the wake of the shooting of a Metropolitan Toronto Police officer. However, the Solicitor General refuses to bring forward my private member's bill, Bill 145, which would ban the sale of replica guns in the province. Bill 145 has received first and second reading, and the standing committee on administration of justice, after public hearings, overwhelmingly endorsed the bill.

We know that replica guns constitute a growing menace in our society, and police commissions and police officers across the province have indicated their support for Bill 145. We know that this government has much to answer for in the eyes of police officers. For over a year the government refused to review the Police Act and only initiated the review in a climate of crisis. Provincial underfunding also caused police enforcement to be stretched to the limit.

With Bill 145, the Ontario government has the opportunity to demonstrate that it is sensitive to the opinions and concerns of police officers. The steadfast refusal of the Solicitor General to have Bill 145 brought forward for third reading is clearly an expression of the indifference of this government to the work of our police officers. Members should look at these guns. How do they think an officer will react if faced by an individual yielding such a gun? Surely it makes sense to ban such guns in the province of Ontario.

[Later]

Mr Farnan: On a point of privilege, Mr Speaker: I believe my privileges have been usurped. The replica guns that I brought into the House have been taken by the Sergeant at Arms. People have brought other props into this House, whether it was a garbage bag or a seagull. If these guns are harmless, surely they equate in the same manner to other props that have been used in the House. You, Mr Speaker, have not confiscated or had calls to be confiscated other props that have been used in the House, yet these replica guns were confiscated by the Sergeant at Arms, I believe, with your permission. I believe that I am not getting the same treatment from the Chair as other members of this House.

The Speaker: I listened very carefully to the member's point. I certainly will get back to him in due course. I am glad he informed me of what has taken place. I thank him for the point of information.

ENVIRONMENTAL PROTECTION

Mrs Marland: I was intrigued to read in today's Toronto Star that the Minister of the Environment will attend a dinner being held tonight by environmentalists. We are all happy to hear that the minister has recovered sufficiently from his eye surgery to attend the gala dinner. I trust this means he is well enough to be present in the House tomorrow. With Bill 220 on the list of weekly business and many outstanding issues, we would welcome him back.

Let me remind members of a few of this government's broken or unfulfilled promises on the environment. In 1987 the Environment minister promised to replace the badly outdated air pollution regulation 308. Three years later, nothing has been done. In 1986 the minister brought in the municipal-industrial strategy for abatement, promising abatement of water pollution. Four years later we only have monitoring regulations. There has been no abatement, and this year Toronto-area beaches are having to close earlier than ever.

We have a province-wide garbage crisis. In 1988 the minister said 160 municipalities would run out of landfill space by 1990. But what has he done to solve the problem? His ministry has approved only five new landfill sites under the Environmental Assessment Act since 1985. Now he is giving emergency exemptions to municipalities needing to expand their landfill sites. Promises, promises. When will we see action on air pollution, water pollution and waste management?

1340

ROUGE VALLEY

Mr Faubert: Here in Ontario, parks play a very important role in our lives. Parks preserve our natural heritage. Parks offer us a place to go to take it easy or to partake of a wide variety of activities, from swimming to hiking or simply relaxing.

Members of this House will recall that the government of Ontario announced this spring the protection of the Rouge River valley in Scarborough. The Rouge Valley is the most ambitious park project in Canada's history. Planning the management of its unique natural, historical and recreational features is an important and challenging task.

I am pleased to inform the House that the government of Ontario announced today that Jim French has been chosen to chair the committee. Mr French has a long history of community involvement. He has served as a trustee in the Scarborough Board of Education, including four years as chair, and

was also the founding president of the Canadian Wildflower Society.

The committee, representing 14 government and non-government agencies and interest groups, will recommend a comprehensive plan for the first phase of the park within one year. That plan will cover the initial 17.5-square-kilometre area of the park, which is most of the Rouge Valley lands between Steeles Avenue and Lake Ontario.

The recommendations are to include what type of park should be established, which agency or combination of agencies should manage the area and what private lands should be acquired. The committee will report its recommendations to the Minister of Natural Resources.

Above all, the committee will ensure that there are numerous opportunities for groups and individuals with an interest in the area to get involved in the planning process to determine the future uses of this very special part of Scarborough and Ontario.

MINIMUM WAGE

Mr Mackenzie: When it comes to those in need, it is clear whose side the Liberals are on. The Liberals are more interested in helping their big business friends than making life better for poor people. The gap between the rich and the poor in Ontario grows every day. The Liberals have done nothing to close it. Liberals say they are listening to the poor and want to help them, but time and time again the Liberal government has sold out those in need.

In Ontario, 10,000 children a month under two years old are fed through Ontario food banks. The only child of a support parent working for minimum wage will be living on 54% of the Canadian poverty line, and the Liberal Treasurer has said that the inflation rate for 1990 will be 4.9%, with the goods and services tax expected to add an additional 3.2% increase in January 1991; that works out to 8.1%.

Yet in the face of this, yesterday—probably it will be moved again—or, officially, today—we have a minimum wage increase in Ontario of 8%, or from \$5 to \$5.40. It is a disgrace. Even Transitions, the Thomson report in this province, said there was a need for a substantial increase in the minimum wage in Ontario, and figures anywhere from \$6 up for minimum wage were mentioned.

To bring in a minimum wage that does not take effect until 1 October and will be eaten up within two months is a disgrace to this government.

NORTHERN DEVELOPMENT

Mr Eves: Late this morning I received a memorandum from Carol Speare, the economic development officer in Parry Sound, who indicates that she has been told by the people in the NODC/ODC division of the Ministry of Industry, Trade and Technology that later this year, all of the NODC applications that are now being processed through the Sudbury office of the Northern Ontario Development Corp will be moved to a southern Ontario location in Bracebridge to a new Ontario Development Corp office.

The Premier rose in this House, as did the Minister of Northern Development and Mines, some two years ago to make a commitment to the people of Parry Sound that they would be in northern Ontario effective 1 April 1989. We have already seen this government renege on that commitment with respect to northern health travel grants, which the Minister of Health says are not northern grants. We have also seen the Ministry of Education renege by totally changing the system by which it

provides educational funding to local rural school boards in northern Ontario to effectively wipe out the advantage that the district of Parry Sound and Nipissing received under that commitment.

Now we see the ultimate blow, where they are going to take the Northern Ontario Development Corp office out of northern Ontario. Parry Sound will now be dealt with as if it was part of southern Ontario through a new office in Bracebridge. I do not know what the rationale could possibly be, but hopefully it is not too late for this government to reconsider its commitment to Parry Sound riding.

ELLIOT LAKE URANIUM FESTIVAL

Mr Brown: Every year, Elliot Lake has the distinct honour of hosting northern Ontario's largest community gala. Celebrating its 20th anniversary, the Elliot Lake Uranium Festival has long been the envy of other northern Ontario communities. The festival, although on a smaller scale, is Elliot Lake's answer to Quebec's Winter Carnival, the Calgary Stampede or Vancouver's Pacific National Exhibition. The annual celebration begins 21 June and runs through until 1 July, Canada Day.

Because Elliot Lake has been famed for its mining capabilities, many of the festival's events focus upon elements of this industry. Drilling and ore mucking competitions draw highly respected people from all areas of the profession. Also featured is a Miss Elliot Lake contest, and many of our festival queens have competed in Toronto for the crown of Miss CNE. Numerous sporting activities are offered, as well as the presentation of the town's junior and civic awards, given to citizens for various accomplishments. Other activities such as pet shows, bike races, carnivals and midways help to entertain both the residents and the large number of visitors the festival attracts. Topping it all off is a colourful parade, followed by an outdoor barbecue, dancing and a gigantic fireworks display.

I would like to close by wishing the town of Elliot Lake every success this year.

ESTIMATES

Hon Mr Elston: Members will be pleased to know and relieved to hear that I have a message from His Honour the Lieutenant Governor, signed by his own hand.

The Speaker: The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 1991 and recommends them to the Legislative Assembly. Signed by His Honour Lincoln Alexander.

STATEMENTS BY THE MINISTRY

RETAIL STORE HOURS

Hon Mr Scott: On Friday last, a judge of the High Court of Justice issued a declaration that in his view the Retail Business Holidays Act violates freedom of religion as guaranteed by the Canadian Charter of Rights and Freedoms and that the act is thus unconstitutional. I have instructed counsel to appeal against this finding to the Court of Appeal for Ontario. It is the opinion of the law officers of the crown that the prospects for success on appeal are good. It is not presently certain when the appeal can be heard.

In the present circumstances, the issue for the law officers of the crown is whether charges should continue to be laid for breaches of the act in anticipation that the result will be reversed upon appeal or, alternatively, whether no charges

should be laid so that the law becomes a dead letter only to spring to life again if the appeal succeeds.

Mr B. Rae: God forbid anything should spring to life.

Hon Mr Scott: The honourable member would not know anything about that.

It is an issue that did not frequently arise until the enactment of the Canadian Charter of Rights and Freedoms significantly expanded the grounds upon which unconstitutionality could be determined. It is none the less an important and complex issue, bearing in mind the capacity of our courts, supported by the charter, to make declarations of unconstitutionality with respect not only to provisions of the Criminal Code but to a wide range of licensing and regulatory enactments as well.

1350

In most civil cases, and a request for a declaration of unconstitutionality is a civil case, the law provides for the possibility of a stay of the judgement under appeal pending the outcome of the appeal. In the event of a stay, the law would continue to be enforced in the interim. This recognizes the possibility that decisions may be reversed, possibly more than once, as the case proceeds and that such reversals may create intolerable confusion as to the state of the law. As a result, the stay preserves the status quo pending appeal and permits the law to be applied in a predictable way, although final determinations of guilt may await the ultimate court determination.

I have instructed counsel to seek such a stay in the present case. If granted, the effect of the stay will be to hold in abeyance the declaration of unconstitutionality and to preserve the Retail Business Holidays Act pending a final determination on appeal. As well, this would mean that the police would continue to investigate infractions of the act and to lay charges as appropriate.

If the declaration that the Retail Business Holidays Act infringes upon freedom of religion is upheld on ultimate appeal, then the Retail Business Holidays Act will be of no force and effect, and any charges that may have been laid in the interim will be unenforceable. On the other hand, if higher courts reverse the declaration that the act infringes on freedom of religion and thereby uphold its constitutionality, the effect will be that the Retail Business Holidays Act will be confirmed as having been fully valid, not only from the date of the Court of Appeal's decision but at all times including the period leading up to the appeal.

It is hoped that the application for a stay will be heard in the next few days.

I propose to leave legal argument about the constitutionality of the Retail Business Holidays Act to a different forum. I can say, however, that this government continues to believe that the act is a fair and balanced law that responds appropriately to the social, economic and cultural reality of Ontario in the 1990s. The act establishes a framework that ensures a pause day for Ontarians can exist. At the same time, it recognizes that the diversity of Ontario makes it wrong to impose on all communities, regardless of their circumstances, an inflexible strait-jacket with regard to openings and closings.

The act recognizes that economic circumstances such as proximity to the United States border or social circumstances such as the cultural diversity of large urban centres may make appropriate choices other than a blanket prohibition on retail activity. Absolute uniformity may be neater, but it is neither fairer nor more respectful of rights and freedoms than is a sensitivity to the varying needs of particular communities.

This government did not and still does not believe that inflexible application throughout the province is necessary either to achieve the goal of a pause day for Ontarians or to guarantee respect for the rights and freedoms protected by the charter.

It is my hope that higher courts will validate this position and I call on Ontarians to respect the current law until the matter has been settled on appeal.

Mr Rae: Good work, good work.

Mr Cousens: You couldn't even get a job in your own ministry.

Interjections.

Hon Mr Scott: On a point of order, Mr Speaker: I would like to record for the television audience that the position we have taken today is supported by both opposition parties.

Interjections.

The Speaker: Order. I listened carefully. I do not feel that is a point of order. It is a point of information.

MINIMUM WAGE

Hon Mr Phillips: I am pleased to announce again today an increase in the general minimum wage to \$5.40 an hour from the present level of \$5. The change will take effect in the workweek in which 1 October occurs.

The working poor are the main beneficiaries of the increase, as this government continues its resolve to raise the purchasing power of the minimum wage, while maintaining the competitive position of Ontario.

This is the fifth annual increase since this government undertook to review the minimum wage rates each year. During the period 1985-90, the general minimum wage will have increased by eight percentage points above the increase in the consumer price index over a corresponding period.

In addition, this increase reflects the government's continuing resolve to raise the minimum wage, recognizing the increasing cost of living and the loss of purchasing power. This increase complements the other initiatives this government has taken in response to the 1988 report of the Social Assistance Review Committee.

I am also announcing that the special minimum wage for students under 18 will rise to \$4.55 an hour from \$4.15. I am aware of a constitutional challenge that has been raised by some people who are opposed to the practice of having a special minimum wage for students.

Not wishing to prejudge the outcome of that challenge, I want to continue protecting in the meantime the interests of those younger persons who have succeeded in finding employment because of the special student minimum wage.

I am also announcing changes to the minimum wages of agricultural harvesters, hunting and fishing guides and liquor servers, as well as related increases in room, meal and housing allowances. These changes are appended to the statement.

MUNICIPAL ELECTIONS

Hon Mr Sweeney: This afternoon I intend to introduce several amendments to the Municipal Elections Act. These amendments are being brought forward following extensive consultation with the Association of Municipalities of Ontario and the Association of Municipal Clerks and Treasurers of Ontario.

The most important change has to do with the way election campaigns are financed. As members may recall, following the

last municipal election there was criticism about how some candidates used their leftover campaign funds. The legislation I will introduce this afternoon will require that surplus campaign funds be held in trust by the municipal clerk for use during the next election campaign. They can also be applied against past election debts. This will ensure that campaign funds are used only for election purposes.

Furthermore, in addition to the existing limit of \$750 that a contributor can give to any one candidate, the legislation places a limit of \$5,000 on the total amount a single contributor can give to all candidates running for the same municipal council or school board.

Concerns were also expressed about the way the laws on campaign financing and reporting are enforced. Current rules require individual electors to take legal action if they believe the law has been broken. Under the new system, the municipality or school board will be responsible for acting on a complaint from an elector. If the municipality or school board fails to take appropriate action, the provincial Commission on Election Finances can intervene.

The legislation contains several other amendments. Among them are changes to allow municipalities to provide election information in languages other than English or French and to provide an alternative form of ballot for the benefit of the visually impaired. It also changes the rules on proxy voting to help prevent abuse of that system.

The election process is at the very heart of our democratic system and it is therefore extremely important for people to have faith in it. The changes I am introducing today are intended to reassure people that their representatives are acting in their best interests at all times.

1400

VOLUNTEER OF THE YEAR

BÉNÉVOLE DE L'ANNÉE

Hon Mr Beer: For the past four years my ministry, with the assistance of Volunteer Ontario, has recognized volunteers, who are the backbone of local social services, with the Community Service Award. Each year one person is selected from the list of 40 Community Service Award recipients to receive the minister's award as Volunteer of the Year.

I am delighted to be able to introduce my ministry's outstanding volunteer for 1989, Edna Simmons of Exeter. Today, Edna, her daughter Kathy Pryde, and Suzanne Symes, president of the Family and Children's Services of Huron County, are seated in the gallery and we welcome them here to Queen's Park.

Edna is truly a remarkable person, a representative of all those wonderful volunteers, young and old, who give of themselves in order to improve the quality of life in their communities.

Je suis donc ravi de pouvoir vous présenter aujourd'hui la bénévole extraordinaire de mon Ministère, pour 1989, Mme Edna Simmons de Exeter. Mme Simmons, sa fille, Mme Kathy Pryde, ainsi que Mme Suzanne Symes, présidente de la Société d'aide à l'enfance du comté Huron, sont présentes parmi nous dans la galerie.

Edna est une personne vraiment remarquable. Elle représente l'esprit admirable de toutes ces bénévoles, jeunes et âgées, qui se dévouent dans les nombreux secteurs de nos collectivités pour qu'une personne au moins connaisse de meilleurs jours.

For the past 10 years Edna has been actively working with the children's aid society of Huron county. Last year she contributed over 250 hours of her time supervising visits between children who were temporary wards of the crown and their parents. It is a role which requires extreme tact and patience. Edna acts on behalf of the child, but she must not alienate the parent, since these visits are crucial if reconciliation is to take place.

She is also involved in the prevention of child abuse by teaching parenting and homemaking skills to young mothers who have rarely, if ever, had the opportunity to learn from a patient and caring person. Edna has protected children as a foster parent and she has sheltered and befriended women who have been physically and emotionally abused.

Our agencies have many caring professionals, but it takes time, a lot of time, for abused women who are afraid or who lack self-esteem to learn to trust someone. Edna and volunteers like her are able to take the time to listen to people who are troubled. Through their understanding, care and daily modelling these volunteers are able to earn the trust and respect of those they help.

But that is not all Edna has done as a person who loves her community. Since moving to Exeter in 1945 she has been actively involved with every aspect of her church, from helping out at rummage sales and teaching Sunday school to being president of the women's group. She has canvassed for the Ontario March of Dimes, Flowers of Hope and the Canadian Bible Society, and she has sold Remembrance Day poppies with her comrades at the Royal Canadian Legion.

A widow these past 17 years, Edna has three children, five grandchildren and a great-grandchild.

Edna is a modest, humble person, and when I presented her with the award in April she said, "There are many other people who do more than I do." Perhaps there are, Edna, but you are an outstanding representative of all those volunteers who do what they can to improve the quality of life in communities across the province. We thank you very much.

RESPONSES

RETAIL STORE HOURS

Mr B. Rae: I am not aware of any scientific studies that tell us what the impact of a steady diet of crow is on the human body, but I think we are about to discover in the person of the Attorney General.

Hon Mr Scott: Can I get out now or do I have to stay for this?

Mrs Cunningham: Yes.

Hon Mr Scott: Is there some rule that requires it?

Mr B. Rae: I know the Attorney General is going to find it very difficult to sit quietly.

Mrs Cunningham: If the shoe fits, wear it.

Mr Jackson: You're not looking forward to your scrum.

Mr B. Rae: I do not want to interrupt the Attorney General as he squirms. He is the only person who squirms out loud as loudly as he does.

If I may say this quite simply to the Attorney General, the last time this House debated this issue he said he was creating certainty and we told him he was creating chaos. He told us he was creating fairness and we told him he was creating unfair-

ness. He told us he was creating a law that was enforceable and we told him he was creating a law that was unenforceable.

I want to say to the Attorney General that the law he has created has been declared by the Supreme Court of Ontario to be constitutionally invalid and to be of no force or effect.

The previous law that was passed by this House, which provided for a common pause day, was tested all the way to the Supreme Court of Canada in the Edwards Books and Art case and it was found by the Supreme Court of Canada to be fair and enforceable to provide for a common pause day. It was precisely because it provided for a common pause day, and that notion of providing a day of rest for people was found to be fair and found to be right, that it was said that it should be enforced by the law.

What we have in this law and in this Attorney General is a situation that is truly chaotic. What we have is a decision from the judge of the High Court. The judge states very clearly and categorically that in his opinion the municipal option, which has been so loudly trumpeted by the Attorney General, takes away from any notion of protecting a common day of rest across the province.

That is what the judge has said. That is what we said in this House in a debate which lasted over a year. One would have thought that the Attorney General, in an uncharacteristic display of humility, might have admitted that precisely what opposition critics well warned him would happen has in fact taken place.

MINIMUM WAGE

Mr Mackenzie: In 1975 a person had to work 50 hours a week at the minimum wage to earn a poverty-line income for two adults and a child. By 1986, 87 hours of work a week were needed. The minister is also aware that within a couple of months of the new minimum wage coming into effect, inflation plus the goods and services tax will have overcome it and passed the 8% the minister has given us.

The minister knows that what he has done is give us a Scrooge-like increase in the minimum wage. It does not come anywhere near what Thomson and the Transitions report said was necessary in Ontario to help those on very low incomes. I wonder if the Minister of Labour really appreciates being classed as a Scrooge with that kind of increase. I wonder also why he did not recognize the constitutional challenge, by the NDP youth, of the difference in wages for students in Ontario.

I think what we have is a disgrace as a minimum wage increase in the province.

VOLUNTEER OF THE YEAR

Mr Allen: I want to join the Minister of Community and Social Services in congratulating Edna Simmons of Exeter and her nominees, the Huron county children's aid society, for the award she has just received as Volunteer of the Year. Many of our community services rely for the enrichment of their services upon volunteers like Edna who spread their time across a phenomenal number of agencies and services in the community and give unstintingly of their time and energy to make life better in all of our communities.

At the same time, I am sure that all of those volunteers who work closely with those agencies are aware of the tremendous pressure those agencies are under at this point in time in terms of problems of funding—10,000 children who are lined up for services at children's mental health centres tell the story very dramatically. I think today's volunteers would want to tell the minister that it is not sufficient to have those services staffed

often by people working on salary schedules that begin within the reaches of the poverty line.

While we extend congratulations, we are concerned about all those services and the way they are delivered in our communities and thankful for the volunteers who are among us.

RETAIL STORE HOURS

Mr Harris: I note that the Attorney General cannot even look at me.

Hon Mr Scott: Okay, Mike, let's get there.

Interjections.

The Speaker: Order.

Mr Harris: Let me echo the comments that were made by the leader of the New Democratic Party, but let me also say a few other things in addition to that.

We have consistently said not only that this law was unworkable but that it was unfair, that it was very, very unfair. We now have a ruling by the court that agrees it is unfair.

I also find it ironic that the Attorney General is appealing this decision to the Court of Appeal when he already knows there appears to be little support for this law in that court. I refer to former Chief Justice William Howland's remarks on the opening of our courts this year, where he stated that legislatures should not be making laws that will not be followed by their people. I think we all know which laws Chief Justice Howland was referring to, because it was at the time the Sunday shopping violations were there.

1410

I would suggest that this appeal being proposed by the Attorney General is far more like an election appeal than it is like a court appeal.

The former Solicitor General, the member for London South, said that passing the responsibility on to the municipalities would be "the chicken way out." The government has taken the chicken way out and it has obviously now laid an egg. The Attorney General and the Premier, in that approach, have laid an egg.

This law, even without the ruling that it is unconstitutional, is clearly causing chaos and is not working. Now we are adding to that chaos. We have drugstores that are now in the food business, the hardware business, the clothing business. We have corner stores that are now full-blown supermarkets. We have all kinds of video stores that are now selling TVs and other video equipment. There is no fairness from one neighbourhood or community to the next.

I am astounded that, instead of admitting that finally, the Attorney General is going to go through with these silly appeals on a law that clearly is causing chaos in the system today.

Hon Mr Scott: Want a little side bet on the appeal, Mike? How much money will you put on it? I'll give you odds; three to one, four to one, five to one.

The Speaker: Order.

VOLUNTEER OF THE YEAR

Mrs Cunningham: It gives me a great deal of pleasure and it is a distinct honour today to be adding our congratulations to the volunteer for 1989, Edna Simmons. The Progressive Conservative caucus would like to thank you, on behalf of the citizens whom we represent across Ontario, for the work that you do in the prevention of child abuse, for the work that you

do with parenting skills and for the supervision of all those special children as they visit their parents.

We would also like to say that we think you work for a children's aid society that is outstanding in the province. We hope that together you will continue with your good work in your part of Ontario and that everyone will know what it is like to see great people like you, the outstanding volunteer for 1989, a person we need more than ever before. You are a great model. Congratulations.

MUNICIPAL ELECTIONS

Mr Brandt: In brief response to the Minister of Municipal Affairs, I am pleased to see that the minister is in fact bringing forward some changes to the Municipal Elections Act which will make the act fairer and more applicable to local situations. I speak specifically with respect to the maximum allowable contribution of \$5,000 to the election in total, which I think will remove any suggestion of anyone being able to buy an election by way of financing at the local level.

I find it strange, however, that while the government is improving on municipal elections, it is enlarging the size of polling areas for provincial elections, which is going to make it much more difficult for people to vote in provincial elections. I think he should look at that one as well.

ORAL QUESTIONS

RETAIL STORE HOURS

Mr B. Rae: I have some questions again for the Attorney General on his statement today on the absolutely chaotic situation which exists now with respect to the question of Sunday shopping.

The High Court of Ontario has made it very clear that, in the opinion of Judge Southey at least, you cannot protect the worker's right to refuse, nor can you protect the notion of a common pause day, when you have legislation decentralizing all this power to municipalities. The judge did not accept the evidence of the former Minister of Labour, the Minister of Consumer and Commercial Relations. I have got it right here in front of me. He says, "The procedure under the Employment Standards Act may be as unreal in its expectation of effective protection as the suggestions rejected by the law reform commission in passages approved by Dickson." It describes the whole premise of the government as being unreal.

I want to ask the Attorney General: Instead of appealing this judgement, why not go back to the premise which underlies all the approach to legislation in this House going back to the mid-1970s, that being that we have a provincial law which provides for a common day of rest across the province?

Hon Mr Scott: I would like to thank the two opposition parties for their bipartisan approach to this issue, as their standing ovation when I read the statement indicates. I am very grateful for that and I am sure the public of Ontario will be respectful of the role they have played.

I think it is important to emphasize, particularly in light of the statements in response, that it was a previous Attorney General, the Honourable Roy McMurtry, who said first that the old law was unenforceable. I agree with him. That is why the government moved to pass the new law.

The honourable Leader of the Opposition is always very quick to put his eggs in one basket, hopefully a basket close at hand. He is now determining that this is going to be the only judgement ever given in this case and he is taking great support

from it. What is he going to say if the Court of Appeal comes to a different conclusion? For him it does not matter, because nobody remembers what he says that long.

The point is that an important judge of our court has concluded that this law is unconstitutional. We seek to have that judgement reviewed, before we act with finality one way or the other, by the Court of Appeal for Ontario.

The honourable member will remember that he heaped scorn on us when we went into the Blainey case and when we went into the separate school case, where we had some reverses initially. He will recall that he mocked us when Mr Justice Potts made his decision about municipal enforcement not long ago. We were sustained in all those cases. All we are saying—I am not going to predict with assurance the result of a court case—is that a single judgement has been made, with an important decision; we intend to appeal it. That is the proper way.

Mr B. Rae: I am not surprised that the Attorney General has the very clearest memory of all the cases he has won. The list is so short it is hardly surprising they spring immediately to the Attorney General's still-nimble mind.

The judge makes it extremely clear in his judgement that a critical error was made by the government of Ontario in changing the premise of the previous law. The previous law was tested, not once but several times, and it was tested all the way to the Supreme Court of Canada. Mr Justice Dickson said it was perfectly fair and reasonable for a Legislature such as the Legislature of Ontario to decide that having parents with a day off on the same day as their children, who are off school on the weekends, is fair and reasonable. The premise of that law has been totally undermined by the municipal option. That is the judgement of Mr Justice Southey.

Can the Attorney General explain why it is that the government decided to move away from the notion of a common day of rest, giving parents a chance to be with their children on the weekend, and get us into this legal mess which we are clearly in right now?

Hon Mr Scott: The honourable leader makes reference to the fact that I may not have won many cases. He has not argued very many, of course, because he entered politics almost incredibly young. The brief he has been given by the NDP to argue is virtually hopeless, and the prospect that he could win the case he is now forced by circumstance to argue is quite unlikely. He can be forgiven for that.

The point of the matter is, whatever the honourable leader's views be, the majority of the Legislature, as represented by the Conservative Party and the Liberal Party, accept the conclusion drawn, not only by judges but by a previous Attorney General, that the old law was virtually unenforceable. We moved to a new law. A judgement has been given by one judge. We respectfully acknowledge his right to judge and the seriousness of purpose with which he came to the task, but we are exercising our right to appeal.

I just caution the honourable leader: This is great today but, if we should win the appeal, what is he going to be able to say then?

1420

Interjections.

The Speaker: Order.

Mr B. Rae: If this case drags on long enough and if stores are able to be open, if the stay is either not granted or not respected for a variety of reasons or if the decision to grant a stay is appealed and then that decision is appealed again, the

Attorney General knows as well as I do that by insisting on this law as his solution to this problem, he has created chaos with respect to the issue of Sunday shopping. He has to recognize that he has created it.

He told us the old law was unenforceable, and the fact of the matter is that law was ultimately sustained by the highest court of the land because it found it was reasonable to allow children and parents to be together on the weekend instead of forcing parents to work.

The Speaker: The question?

Mr B. Rae: Why not change this law so that it reflects the earlier consensus in this Legislature in 1985-86, that there should be a common pause day across the province?

Hon Mr Scott: The new law, as the honourable leader calls it, has not created chaos. In the year in which the law has been in effect, it has been applied fairly and consistently across the province and is working reasonably well. Most of the major municipalities have begun to apply its terms, and the vaunted domino effect and the failure of family values that the opposition referred to at the time of its passage have not occurred. The law has worked well.

The uncertainty now, and clearly there is uncertainty, is created by virtue of a decision of a single judge of the court, of unquestioned authority, who has concluded it is unconstitutional. If he is supported by the Court of Appeal and the Supreme Court of Canada, it will be understood that the law will require amendment; but if he is not, the law will not require amendment and it will continue to work effectively across the province as it has in the last year.

Mr Brandt: What odds are you giving?

Hon Mr Scott: I offered four to one.

The Speaker: New question, the Leader of the Opposition.

Mr B. Rae: Let the record show that the Attorney General was not smiling when he gave that last answer.

The Speaker: And the question is to which minister?

PENSION REFORM

Mr B. Rae: My question is to the Minister of Financial Institutions, in the absence of the Treasurer. The Premier talked proudly yesterday about how in Ontario from now on it was going to be business as usual, and I think the Minister of Financial Institutions gave us a full flavour for that when he introduced some changes in Ontario's pension regulations which give a windfall to employers that potentially is worth hundreds of millions of dollars.

I would like to ask the Minister of Financial Institutions if he could justify why it is that the only change he has made with respect to pensions since the law was passed has been to benefit employers in two ways, by reducing the solvency requirements for plans and by specifically allowing for premium holidays, when he knows perfectly well that this is, as the Ontario Court of Appeal has said, allowing employers to do by the back door what they cannot do by the front. I would like to ask the Minister of Financial Institutions why he has given this \$80-billion industry, involving the savings of hundreds of thousands of Ontario workers, such a good break.

Hon Mr Elston: Again, the honourable gentleman puts his questions craftily, in a manner which is designed to leave an impression that the world of pensions is falling apart. In fact, nothing could be further from the truth.

In fact, if he examined what really was announced, he would indicate to the people of the province that more is being done at this time to ensure that pensions in place for employees are more effectively viewed by the Pension Commission of Ontario; that the only steps that were taken by announcing the change in the regulations during my speech were to the effect that we will be giving people a little bit longer to fund their obligations which were put in place prior to the bill coming into effect on 1 January 1988, and that there has been no change whatsoever with respect to the funding requirements of obligations contracted after 1 January 1988 in compliance with the act.

He also knows that we have taken further steps to ensure that the people who are not finding their pensions funded up to the level that they should be will not have to wait for three years to have a reporting but in fact there will be yearly reporting of those pensions so that the individual people can follow very carefully and clearly the progress of the funding and stability of those pension plans. He should—

The Speaker: Thank you.

Mr B. Rae: Ontario is now going through an unparalleled period of economic change. We are going through a period when plants are closing down, when plans are being wound up, when workers who have been working in plants for 30 and 35 years are facing unemployment at age 50 or 55.

As of now, the pensions which exist in the private sector for 40% of the workers in this province have no guarantees with respect to indexing, no guarantees with respect to the effect of inflation, no requirements with respect to early retirement, nothing which gives them any control at all over the pension plan, \$80 billion of their money over which they have no effective control.

The only change the government has made is to allow premium holidays for employers and to extend the period in which employers can meet the solvency requirements of a plan. They have given benefits to employers at this time of change and none to employees. Can the minister explain to us why he has chosen to back business and not give anything to the employees of this province?

Hon Mr Elston: The gentleman has made some allegations which are clearly not correct. He knows that the huge plans he would be referring to and were referred to in the context of the speech I made have contractual obligations between employee and employer to make certain things come about. In some cases, particularly in Canadian Auto Workers plans, as people have well heard in the press announcements, there are indexing agreements and arrangements which by contract are obligations. They are obligations on the company. They have part of the contractual effect of the collective bargaining that those people have gone through. So he is very clearly not correct.

He knows that when it comes down to funding and some of the issues around the solvency issues, the announcement I made a week ago Friday—

Interjections.

The Speaker: Order.

Hon Mr Elston: —was to the effect that we would not require those items which were remote, so remote in fact to be unrealistic about ever taking place—

The Speaker: Thank you.

Hon Mr Elston: —that there would be no need to fund those—

The Speaker: Order.

Mr Pouliot: Getting deeper and deeper.

The Speaker: I must remind the members, we are now at 15 minutes and we have not finished two questions; so please, if possible—

Interjections.

The Speaker: Order. I have kept track of the time—

Mr Pouliot: —takes a long time.

The Speaker: Order.

An hon member: Gilles, cool it.

The Speaker: Really.

Mr B. Rae: The minister mentions the CAW. He will have received by now a letter from the secretary-treasurer of the CAW, Mr Nickerson, who states this explicitly about the changes that the minister has made to the law:

"The effect of this exclusion is to potentially transfer future costs of adjustment from corporations on to the backs of workers by leaving them vulnerable to the financial state of the pension plan at the time of closure."

To govern is to choose. It is perfectly obvious that this minister has chosen not to provide any guarantees with respect to indexing—none at all. At the same time he has given two concessions to corporations that contribute to plans which are worth hundreds of millions of dollars to those corporations. So employees get no protection on inflation and corporations get a windfall. Why has the minister made this choice on behalf of corporations instead of choosing employees at a time of unprecedented economic change?

Hon Mr Elston: Again, of course, the honourable gentleman is not quite correct, because if he read the collective agreements CAW has entered into, he would know they have the inflation protection; only he will not admit that to the people of the province because it does not fit into his grand scheme of looking like he is standing up for something real.

In this situation it is quite clear. We are not going to require the funding of every event, even though it is so remote as to be unrealistic, in the pension plans. There is a provision currently which would have required a company to fund its pension as though every plant in the province was closed down simultaneously. Now that is not going to happen. We have made the decision that in cases of the very remotest type of activity, we will not require the funding to go to that extent, but we require a reasonable extension of the funding and we require the—

The Speaker: Thank you. Order.

Mr D. S. Cooke: You were going to bring in mandatory indexation.

Hon Mr Elston: It's coming.

Mr Hampton: In the year 2000.

Mrs Cunningham: In the next election.

The Speaker: Order.

RETAIL STORE HOURS

Mr Harris: My question is for the Attorney General. The Retail Business Holidays Act has been ruled unconstitutional, I believe, and I think most Ontarians believe, because it is unfair. This decision has added to the chaos in this province on the Sunday shopping issue. Will the Attorney General today finally admit that Sunday shopping is a provincial issue, not a municipal issue?

Hon Mr Scott: The honourable member will want to recall that Mr Justice Southey did not say anything about the unfairness of the legislation and would do well not to put words into his mouth. He expressed that it was unconstitutional and he gave the reasons for it. He is a single judge of the Supreme Court of Ontario, which after merger will have some 200 judges. He is highly respected, and I regard him as a significant authority, but we propose to appeal from his decision.

I would draw to the honourable member's attention that the concern about the previous law was first expressed by my predecessor, the Honourable Roy McMurtry, who said it was unworkable. It was a view that most sensible people agreed with. Now I do not know that there is any point in referring that authority to the present Conservative Party, because since the convention of 1985 it has taken such a radical turn to the right that people like Roy McMurtry would have some difficulty finding a home there, though the honourable member for Sarnia, who is a moderate man, has been able to do so, so there must be some space.

The reality is, we believe this is a good law. We believe it responds to the times, we believe it contains an appropriate level of local option to reflect local conditions and we believe the appropriate course at present is to appeal to the Court of Appeal.

Mr Harris: I hope the Attorney General's arguments before the appeal court are a little more cogent than the answer to my question. I asked the Attorney General, would he not admit that this is not a municipal responsibility and in fact is a provincial responsibility?

The government has taken the chicken's way out. It has now laid an egg. We know that. The Attorney General has had more than enough time and opportunity to tinker with the issue. The more he tinkers, the more unfairness there is for both employees and retailers across the province. Perhaps the government needs to finally admit that the people of this province are adults and that when it comes to this issue they are capable, far more so than the supposed smartest lawyer in the land, of making their own decisions. Instead of insisting that the people of Ontario are not capable of making fundamental decisions, will the government consider putting the issue of Sunday shopping to the people with a province-wide referendum on this issue at the next provincial election?

[Applause]

Hon Mr Scott: Notwithstanding the universal standing ovation, obviously the Conservatives and the New Democratic Party do not agree. The Conservatives say I am taking the chicken's way out. The NDP say I am behaving like a bull in the china shop.

The reality is this: My honourable friend suggests, and I know he believes this, that there should be universal Sunday shopping all across Ontario. He said that in the last election campaign. But I say to the honourable leader, before he advan-

ces that as his party's policy, he should take a poll in his party. While he is doing it, why does he not ask them what they think about pay equity, what they think about user fees, what they think about rent review, before he just gets up there and says the view that he has is the view of all Tories in Ontario? I do not believe it for a minute.

Mr Harris: The Attorney General insists on refusing to answer any of the questions. Instead, he is more interested in my party politics. I have taken a poll of my party over the last month and I would suggest that the people of my party voted for giving more decision-making to and more sharing of priority-setting with the people of this province instead of unilaterally being in the hands obviously of the supposed smartest lawyer in the land.

Why will the Attorney General not come right out and admit that all the concern is not the result of worries over Sunday shopping? It is the unfairness of both the existing law, the former law and what he is proposing in the future. The main concern is over Sunday working, and regardless of the outcome of the appeal or a referendum, Sunday working, which is the real issue, is a labour issue and can be addressed in labour legislation.

We are faced with a situation today where, whether or not the government wins the appeal, there is more and more Sunday working going on in this province. Why will the government not deal with this issue up front and look at labour legislation, to give all employees in Ontario the right to choose their own common pause day, which suits their own religion and their own—

The Speaker: Order. The member has already asked that question.

Hon Mr Scott: If the honourable leader refers to the poll that was taken at the Conservative leadership convention, everybody will understand that was based on a most narrow and inadequate sample. There are fewer people from my riding who voted in that poll than phone me on a normal workday. If that is the poll which has led the Conservative Party all across Ontario to stand for a wide-open commercial Sunday, to stand for user fees in all social services, to stand against equal pay, to stand against rent review, I believe a new poll should and probably will be taken shortly when those issues will be thoroughly canvassed.

SOCIAL WORKERS

Mrs Cunningham: My question is to the Minister of Community and Social Services. Thousands of social workers, the public and a coalition of 50 province-wide social service providers have been asking for self-regulation of social workers for the past five years. More recently, in March, the community colleges added their support to this request.

It is unbelievable that this government has not come to realize the need for public protection. I would like to ask the minister if he is prepared right now to indicate clearly and unequivocally if the government is going to introduce an inclusive social work act to regulate social workers and, if so, when.

Hon Mr Beer: As the honourable member is aware, the Ministry of Community and Social Services put out a discussion paper last year. That was looked at by a number of organizations through until December. Following that, I met with a number of organizations in the area of social work to discuss what we ought to be doing in this particular field and to look at

particular issues and problems that had been raised during that consultation period.

Since that time, I have met again with all of the major players in this area and in the last couple of weeks I have indicated to them that I am now prepared to move with them in developing legislation. But I have indicated to them, as they have to me, that it is very important that this be inclusive and that we look to developing a particular framework which will ensure not only that the public and those individuals who are being helped by social workers are protected but that all those who are active in this field will be able to be part of a very fair and representative system. We are now moving towards that.

1440

Mrs Cunningham: Dan Andreae, director of a province-wide campaign to get the minister to act for the past five years, claims social workers and the public across the province have been frustrated and angry that the government has not yet brought forward legislation to protect the public. I should say I am happy to hear that minister say he is prepared to move with them in developing legislation. My question would be, what does that mean?

Hon Mr Beer: It means precisely what I said it means, that we are going to move together with them in developing legislation. I should point out to the honourable member that we have a number of acts which indeed provide for protection from a whole series of problems that can arise in this area, so it is not as though the absence of a particular piece of legislation has meant that the public is unprotected.

In concert with those active in the field, we have looked at a number of issues. The key one has really been to say that we want to make this inclusive, that we want to ensure that those, for example, who are working with multicultural groups and with immigrant organizations will be embraced by this as well as those who have perhaps come from community colleges or universities.

I want to commend those in the different organizations who have been working very closely together to try to find common ground. There are still some issues which some groups have set forward, and that is why I have said that we are going to work together, but we are working with a focus, which is to bring forward legislation.

Mrs Cunningham: It is the last week of the session and we have been listening over a period of time to promises by this government for a child care act, for rest home legislation, for the receipt of the Maloney report, for extended services for integrated homemakers, for advocacy legislation. All of these were stated in 1987 and some in 1985.

We have heard the minister today. As far as I am concerned, what he has stated fits right in with the other kinds of promises. I need to know today if he is saying unequivocally that we are going to look at the introduction in the fall of an inclusive social work act for the province. Will it be in the fall, yes or no?

Hon Mr Beer: I will be very happy to share with the honourable member a copy of the letter that I will be sending shortly to the Ontario Association of Professional Social Workers, to the community colleges and to the Social Work Reform Group. We are going to proceed now. As I have set out, it is my hope that we will be able to resolve these issues in the fall and to move as quickly as we can thereafter with legislation. Clearly we have to look at the issues, but in my discussions with the individuals involved I am convinced that there is

a clear direction and that we can resolve the issues and see that move as quickly as possible.

It is very important that we bring together all those who are involved and interested. I want to make sure that the points are set out and that it is inclusive. I share with the honourable member the sense that it must be inclusive. I want myself, as minister, to make sure there are no groups that feel they should be involved but have been left out. I think we all share that view. If that continues, we can see that legislation.

TIMBER MANAGEMENT

Mr Laughren: I have a question for the Minister of Natural Resources. The minister will know that during the class environmental assessment hearings on forest timber management on crown lands there has been a lot of concern expressed about the size of clear-cuts in northern Ontario. In view of the fact that large clear-cuts make regeneration more difficult, could the minister tell us what she thinks should be the maximum size of a clear-cut?

Hon Mrs McLeod: As a layperson in the field of forestry, I would not presume to make specific comments on the size of clear-cut, nor would I pre-empt the discussion of terms and conditions which is going to take place before the class environmental assessment board.

Quite clearly, the issue of the nature of our harvesting practices and their environmental impact is one of the key questions that is being discussed in the class environmental assessment, and the question of clear-cuts and the role of clear-cuts in forest management will be one of the issues that is addressed.

I would recognize, however, even as a layperson in the field, that the question could not be asked without being much more specific to particular species, and to particular site areas as well, because there are differences in practice which are most suitable to regeneration and to good forest management.

Mr Laughren: The minister is prepared to be as specific as the minister would care to be, but I think the point is that at the present time there are absolutely no legal restrictions on the sizes of clear-cuts. There are some sizes of clear-cuts that are rumoured to be in thousands of hectares.

I want to ask the minister, in view of the fact that there is no apparent end to those hearings on environmental assessment, why she cannot bring in interim regulations dealing with the maximum size of clear-cuts, by species if she wishes to do so. Will she make a commitment to do that?

Hon Mrs McLeod: I think that if I were to undertake a commitment to bring a regulation of that nature at this stage in the class environmental assessment hearings, it would be perceived to be, and in fact quite well could be, a pre-empting of the recommendations that are to be made by the class environmental assessment hearings.

I would argue with the honourable member that there is no end in sight to the class environmental assessment hearings. In fact, we are very much looking forward to the conclusions that the environmental assessment panel will bring forward and are actively discussing terms and conditions which would affect the major issues in reviewing those questions in front of the environmental assessment panel.

I would also assure the honourable member and all other members of this House that in the interim period, prior to receiving recommendations from the environmental assessment panel, we do deal with the kind of issue that he is addressing with the question about clear-cutting. In every timber management plan that is prepared by the Ministry of Natural Resources,

our concern is to look at the specific requirements of the area to be harvested, the environmental concerns that should be considered in dealing with that area and how we can best provide for regeneration.

AFFORDABLE HOUSING

Mr Cousens: I have a question for the Minister of Housing dealing with the controversy over affordable housing plans by Ronto Development in the town of Vaughan. On 10 April 1989, the Deputy Minister of Housing, Mr Davies, wrote Vaughan council recommending the plan. The land sold twice and increased in value by almost \$7 million. Why would the Ministry of Housing endorse this project well before the application was made by Ronto to the town of Vaughan, and why would the ministry jump the gun and give advance support to a project when it was not even endorsed by Vaughan council?

Hon Mr Sweeney: Immediately prior to the deputy minister having written that letter in 1989, there was a joint meeting in York region with the regional chairman, the mayors of all the municipalities and representatives from the Ministry of Housing and the Ministry of Municipal Affairs.

The concern was that there was a significant lack of affordable housing and non-profit housing in York region. There was an agreement at that time that all parties would work together to try to facilitate more affordable housing and more non-profit housing. Someone indicated to me that the total number they were looking at was in the neighbourhood of about 2,000 units.

Shortly after that, Calabro Canadian Homes approached the Ministry of Housing and indicated that it had spotted a piece of land that would be suitable for between 160 and 200 units; if all the necessary zoning could be achieved, would the Ministry of Housing be prepared to support it? The Ministry of Housing said it would. The deputy minister wrote a letter to the mayor of Vaughan and indicated that very thing. That is the basis of the letter.

Mr Cousens: I accept what the minister has said. A fascinating process develops around new development. I am really supportive of so many of the things that are done by the developers in helping our area grow. I think there are many good decisions made by municipal politicians.

I get very worried, however. Yesterday the minister made a very significant announcement about new things for the future: "We've got new planning models for Metropolitan Toronto." But we still have not cleared the air on some of the other things that have gone on, a \$7-million increase there and the concerns about developers in York region, Peel and other areas.

Why has his ministry not gone down and made one other announcement, and that is about there being some kind of inquiry into the development processes and the Planning Act as it pertains to fast-growing areas in the province? He has made many other announcements. Many other things are going on, and some things are going wrong. Let's see what he can do in announcing something for the future to clear the air on this thing.

1450

The Speaker: I believe the question was asked before you explained why you asked the question.

Hon Mr Sweeney: As a matter of fact, there is a joint cabinet committee representing five or six ministries of government, including my own two, the Ministry of the Environment, the Ministry of Transportation, the Ministry of Agriculture and Food and the Ministry of Natural Resources, which is doing

that very thing. It has been working for the last seven or eight months to make significant changes in the Planning Act in relation to approvals at the municipal level and at the provincial level.

As soon as all of that is put together, and it is very close, this fall, then we will be meeting with the various regional heads so they can incorporate that change in the Planning Act into their official plans at the regional level. That is what is going to be able to come to grips with the particular issue that the member spoke about.

DISTRICT HEALTH COUNCILS

Mr Owen: I have a question for the Minister of Health. In Simcoe county we have had a regional health council functioning very well for some time now. We have had excellent leadership from it. The personnel involved have been outstanding.

I understand York region is now looking at establishing a regional health council as well. I wonder if the minister could update us as to the status of that process.

Hon Mrs Caplan: I want to thank the member for Simcoe Centre for his interest in this matter and also for his support of the district health council in his region.

The steering committee in York region passed a motion on 14 May to create a district health council in York region. At that time they set a deadline of 30 June 1990 to have a report prepared to be submitted to my ministry. Shortly thereafter, we will be meeting with the steering committee to receive its report and consider the establishment of a district health council for York region.

Mr Owen: I would like to spell out to the minister a problem that is possibly going to develop. The Bradford-West Gwillimbury area, which is in Simcoe county and in my riding, has doctors who have hospital privileges with the hospital at Newmarket.

They are expressing considerable concern that should the regional health council progress in York region, and they are now part of the Simcoe regional health council, where do they go? What is going to protect them? Do they have any input into what is going to happen with the Newmarket hospital and that regional health council when they are already possibly locked into the Simcoe one? Where do they go?

Hon Mrs Caplan: I would like to acknowledge the member for Simcoe Centre's efforts on behalf of his constituents in his riding. The people of Simcoe, as he knows, are very well served by the Simcoe county district health council on the matter of health services planning in that region.

District health councils co-ordinate planning for health services in various regions throughout the province and we rely on the DHCs to advise us on local needs as well as to assist the ministry with planning on a regional basis. Appointments to the district health councils are ongoing. Membership changes from time to time. It is difficult to predict where future membership might come from. People are always encouraged to apply for participation in DHCs.

I am confident that the Simcoe county DHC will work with the proposed York region district health council to ensure that health service delivery in the region is assured. I am also confident that this process will allow us to meet the needs of the member's constituents in Simcoe county and in York region as well. I know they will work together to achieve this objective.

NORTHERN HEALTH SERVICES

Mr Hampton: My question is for the Minister of Health as well. It is interesting to note that the Minister of Health said in the answer to the question just asked by the member for Simcoe Centre that the ministry relies upon district health councils to do local and regional planning.

In northwestern Ontario the Kenora-Rainy River district health council has, for three years running, recognized that there is a need for greater funding for nurses and for accommodation at the La Verendrye General Hospital in Fort Frances. The district health council has recommended that as the number one priority each of the last three years. The ministry has not funded it. Instead, it has funded other projects.

Further, the minister's colleague the Minister of Northern Development said to her two years ago in a letter that the need for an intensive care unit in the Fort Frances-Rainy River area is indisputable, and he goes on to cite all of the evidence why it should be funded.

When the district health council has told the minister three years in a row and the Minister of Northern Development has told her that it is a necessary item to be funded, why has she not funded it and funded other—

The Speaker: Thank you. Order.

1500

Hon Mrs Caplan: We have had this discussion on a number of occasions in this House. The district health councils are important partners in planning. Over the course of the last couple of years, they have had a renewed mandate, a mandate which allows them to look at the bigger picture. I can tell the member that we have been working co-operatively with district health councils in light of our framework of specialty care as well as our capital planning framework and we take their advice very seriously.

Mr Hampton: It just so happens that the hospital in Fort Frances is not the only example. The Dryden hospital was recommended and has been recommended by the district health council for improvements in funding and in programs. They have put before this minister a number of innovative proposals and they have been literally stalled for the last five years. What is unbelievable about this is that Dryden is perhaps the fastest-growing community west of Thunder Bay and has a greater and greater population to serve each year, yet again this minister has ignored their pleas.

The minister's officials have a meeting planned with the hospital board on 23 July. Is she prepared to do something? Again, they have been recommended by the district health council. Is she prepared to follow the recommendations of the district health council, or is this going to be another stall with them too?

Hon Mrs Caplan: I am pleased the member opposite acknowledged the fact that the ministry is meeting on an ongoing basis and has a meeting established for July. I point out to him that my colleague from Kenora has been an important advocate on behalf of his community in ensuring that I am well aware of the situation and in ensuring that we respond appropriately to meeting the needs of Dryden, Kenora and elsewhere in northern Ontario within his constituency.

I will say to the member, as I have said to my colleague, that the meetings we have are very, very important. We take the advice of the district health councils and we have also been involving others in ensuring that we are as responsive as we can be to meeting the challenges of northern Ontario and the chal-

lenges of meeting the health needs of the people of the province.

SUPPORT AND CUSTODY
ORDERS ENFORCEMENT

Mr Villeneuve: I have a question to the Attorney General. He is probably aware of the problems that a lot of people are having and the difficulty they have in contacting his support and custody orders enforcement branch. I have had problems particularly with the Ottawa office. Several of my constituents have found themselves unable to contact the ministry's Ottawa office through the toll-free line that used to exist.

The Attorney General created this particular branch, mostly to assist women, and now they have a hard time reaching those people who are supposed to be there to help them. What has he been doing to try to correct this situation?

1500

Hon Mr Scott: As the honourable member knows, the support and custody orders enforcement program vastly exceeded all reasonable estimates in terms of its uptake. I think we are now very close to having 100,000 clients in about two and a half years of operation. Each of these clients, naturally and appropriately, regards his or her case as one to which the utmost priority should be given and, with limited resources, it is very hard to discharge that mandate.

The honourable member will want to know that about one in five people call the office every single working day of the year, which means that we have many, many thousands of calls coming in every day, many of them simply asking whether anything has been happening on the file.

In an effort to respond to this question, we looked at putting more people on telephone answering. We were reluctant to do that because to put people on telephone answering means you have to take them off collecting judgements, which is what we really want them to be doing. We therefore put in an automated telephone system which, while not a perfect solution by any means, has radically increased our capacity to answer the telephones and to provide information.

I would be grateful for any advice that the honourable member or other members can give us as to how we can make this really important service, which serves a clientele in which 90% are children, work more effectively.

Mr Villeneuve: There is no doubt that it is a most important service and very much needed. I have statistics here for the Ottawa office, which has gone from handling some 4,700 cases in 1987 to over 10,000 last January. The staff in the Ottawa office was cut, according to the minister's own figures, and actually is handling more files than the Toronto office with about 60% less staff.

Can the Attorney General justify this? This is the only office in all of eastern Ontario serving the people who need custody enforcement. Could he please explain what is happening there and what he intends doing to alleviate it?

Hon Mr Scott: As the honourable member knows, the staffing decisions of the support and custody orders enforcement program have to be made with regard to the needs of the eight regional offices across the province.

I would counsel the honourable member against judging that a volume of cases necessarily predicts one staffing requirement whereas a lesser or greater volume may stipulate a different staffing requirement. Everything is dependent on the mix of cases that a particular office has. Particularly in considering

the mix, a critical feature is the extent to which a significant percentage of the cases have arrears, and arrears over what period of time. Staffing determinations are made across the service in the eight regional offices.

The honourable member will want to know, and I wish I could say it in his presence, that the Treasurer has made significant new funds available to make this program work effectively in the current estimates. We recognize the important service it provides. We want to remind people that this service is new; it never existed before. People used to have to do this on their own. We want to make it as effective and sound as we possibly can. We are proud to have done this and disappointed—

The Speaker: Thank you. Order.

ALCOHOL AND DRUG TREATMENT

Mr Ruprecht: I have a question for the minister responsible for the provincial anti-drug strategy. Ontario spends almost \$20 million in the United States on treatment of drugs and alcohol. The reason is simple. Many of the—

Interjection.

Mr Ruprecht: If you can quiet the Attorney General down, that would be a great idea, Mr Speaker.

Ontario spends almost \$20 million on drug and alcoholism treatment in the United States. The reason for that is very simple, namely, many of the services are not available in Canada. Can the minister outline for us, please, if there are any rehabilitation programs or other kinds of programs which will make it possible for most of these Ontario citizens to remain here for treatment?

Hon Mr Black: The member will be aware of the fact that in 1987 the Minister of Health made a commitment to double the funding and the number of programs available to treat addiction problems. Since that time, that goal has been achieved. The number of programs has increased from 92 to 150. That is a spending increase of 126%. The total spending by the Ministry of Health for addiction treatment now is in excess of \$43 million annually.

In addition to that, I should point out that there are also treatment programs financed by the Ministry of Community and Social Services and the Ministry of Correctional Services, and the total for the province is in excess of \$60 million annually. That includes a \$4-million initiative that we announced just in the past two months specifically aimed at youth.

Mr Ruprecht: I am absolutely delighted to hear that funding for rehabilitation and treatment programs has doubled since 1987. Is the minister also prepared to tell us whether in the future the gap between the \$20 million being spent in the United States will be somewhat closed, perhaps in the next few years, after providing us with this tremendously great news that treatment for rehabilitation of drug and alcohol abuse will be doubled?

Hon Mr Black: Just a little over a month ago, we announced the appointment of an advisory committee on treatment for addiction problems. That committee has been meeting regularly during that period of time. I met with them just yesterday. They are in the process of preparing their first report, which we expect to receive early next fall.

One of the questions they are addressing is how we can more effectively use the resources we currently are spending for treatment programs. That includes the money that is leaving

Ontario and flowing into US treatment programs. I should tell members that the flow of those dollars to the United States is a matter of great concern, not just because the money is leaving Ontario but also because we are not sure how effective the treatment programs in the US are. We know that in many cases it is difficult for them to offer the appropriate aftercare programs that make addiction treatment programs successful. We are looking at ways to keep as many of those dollars at home as we can.

EMPLOYMENT IN NORTHERN ONTARIO

Mr Morin-Strom: I have a question for the Minister of Northern Development with respect to the economy of northern Ontario. The minister will be aware that the unemployment rate across the north is quite a bit higher than it is in southern Ontario and that in comparison with Toronto, which has an unemployment rate of 5% or less, communities like Sudbury and Thunder Bay are registering unemployment of 7%, Sault Ste Marie is showing an unemployment rate of 11% and other smaller communities have unemployment rates which go up from there.

Can the minister tell us why his government, this majority government in particular, has not done anything over the last three years to eliminate the boom-and-bust economy cycles in northern Ontario?

Hon Mr Fontaine: To answer the question of the member for Sault Ste Marie, I have an article here where he is quoted as saying that in the Sault everything is okay. It is titled "Sault's Future Looks Bright, MPP Says." So I do not know what he is talking about.

He said: "Many firms looked northward to escape the high costs of land and housing and the shortage of manpower in southern Ontario. The opportunities for growth in northern Ontario are better than they ever have been in my memory."

Hon Mr Elston: How optimistic are you?

Mr Morin-Strom: The minister knows that I am always optimistic about the future. Unfortunately, there are those who could be contributing to ensure that this optimism comes to pass. That article is an old one. The most recent headline, in Saturday's paper, says, "Tough Times On Sault's Horizon, Says Federal Economist." I do not necessarily agree with everything they say, but I do have particular concerns about the fact that the unemployment rate in our community is currently registering 11% and has gone up considerably over the last 12 months.

This is a similar situation to what is facing many communities across northern Ontario. Mines are being closed across the north. We are still facing the 15% lumber duty that this government agreed to and did nothing about. The steel industry is facing difficult times, while Dofasco remains one of the largest contributors to the Liberal Party of Ontario.

Can the minister tell us when he is going to return some of those tremendous tax revenues that northerners have provided to the south back to the north to ensure some stability in the northern economy?

Mr Pouliot: You're losing control. You're out of control.

1510

Hon Mr Fontaine: I am not losing my control. I want to tell my honourable friend the member for Sault Ste Marie that what is going on in northern Ontario is not only the—he mentioned a few things, the 15 per cent, the high dollar and the interest rates. I think this afternoon we, as a government, will

have lots of time to discuss this. I do not want to answer that because I could talk for an hour about the money that is coming back to northern Ontario. We will do that later this afternoon.

I want to assure the member that I am not scared of the record of my government over the last five years, and I want to remind him that we are doing things that never happened before in northern Ontario. I will touch on that later this afternoon because I want to go into it in detail with my honourable friend the member for Sault Ste Marie, what we have been doing together in the ridings of Sault Ste Marie, Lake Nipigon, Algoma, Nickel Belt and Sudbury East.

Last night I was in Sudbury East, and it is booming, from what I saw in Sudbury. I know there is a problem of unemployment. I have always said we cannot do that alone as a province. The feds have to help us in the regions like northern Ontario.

Mr Wildman: Good representation there.

L' hon M. Fontaine: Que les députés se taisent et m'écoutent une minute, là.

The municipal leaders, and the people of northern Ontario, with the federal government—if we all work together, we are going to have good days ahead of us. I am not worried about northern Ontario, because that is the place in which to live.

LIVING WILLS

Mr Sterling: I have a question for the Attorney General. It is clear that in Ontario a person has the right to refuse medical treatment even if the lack of that medical treatment would result in the death of that person, and our courts have held that in the case of Malette and Shulman.

Yesterday the Supreme Court of the United States, in the case of Missouri v Cruzan, found that there is a right to die if a comatose patient has made clear his or her intentions that he or she would like medical support withdrawn. Therefore, the US Supreme Court suggested that people in the United States draw up living wills.

This is interesting because amendment 14 of the US Constitution is very similar to section 7 of our Charter of Rights in that they both contain the right of individuals to liberty, and that is the basis of its decision.

The Speaker: Does that bring a question to your mind?

Mr Sterling: My question to the Attorney General is, will he permit the private members' bills which I have brought forward to be debated by this House so that in fact the people of Ontario will have a legal basis on which to draw a living will? We could have also these kinds of bills sent to committee in order for there to be a full and proper—

The Speaker: Order.

Hon Mr Scott: As the honourable member knows, thanks to his intervention, I have had the opportunity to read his bill and to read some of the literature that supports the concept of a living will. He will not be surprised to hear that while his bill has very great support and has my support, there are some real questions about the circumstances in which and the protections under which it can be operative.

I want to tell the honourable member, as I have told many people who have written to me, that I think the concept is an important and progressive one and the time is very ripe for it. I know he will want to address questions about timing in the House to the House leader.

MOTION

CONSIDERATION OF CERTAIN PRIVATE BILLS

Mr Ward moved that standing order 85 respecting notice of committee hearings be suspended for the consideration of Bills Pr59, Pr87, Pr90, Pr92, Pr93 and Pr97 by the standing committee on regulations and private bills on Wednesday 27 June 1990.

Motion agreed to.

PETITIONS

FRENCH-LANGUAGE SERVICES

Mr Cousens: On behalf of the people from the riding of Timiskaming, who have asked me to do this, I present this petition:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is the duty of free people to constantly guard and, if necessary, defend these freedoms; and

"Whereas the French Language Services Act elevates one linguistic group to lawful but unjust privilege over 95% of Ontarians; and

"Whereas the French Language Services Act has since 18 November 1986 been implemented in secret without the public being made aware of its implementation and whose access has been denied to the public and even to the elected members of this assembly; and

"Whereas such implementation is plunging forward at enormous cost, while health care, police and fire protection, municipal grants, education and the environment are experiencing cutbacks in funding; and

"Whereas no minority can expect for long to enjoy the advantages of a law that shows such reckless disregard for the majority's sensitivities; and

"Whereas the views of the majority of the citizens of Ontario were not represented on 18 November 1986, as only 55 of the 125 of the members of the Legislature were present to vote;

"Therefore, to preserve patience and goodwill in the name of justice, for the love of harmony, we implore the House to refrain from further implementation of the French Language Services Act."

It is signed by myself.

The Speaker: Before I recognize another member, I might suggest that the member may look at his leisure at the standing order pertaining to how to present petitions.

ANIMALS FOR RESEARCH

Mr Wildman: In line with your directive, I will introduce a petition. It is addressed to the Legislative Assembly of Ontario. It has approximately 1,680 signatures of residents of Ontario. It is requesting that the bill prohibiting the use of animals in cosmetic and product testing be brought forward; that is, Bill 190.

Mr Laughren: Whose bill was that?

Mr Wildman: That is my bill. Obviously I have affixed my name to this petition. The total number of people who have now signed this petition from across Ontario is over 77,000. I would hope that this would encourage the government to proceed with the bill.

AUTOMOBILE INSURANCE

Mr Ballinger: I have a petition on behalf of the member for York North.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned, hereby register our deep concern and outrage over the provisions of the new Ontario motorist protection plan."

It has 52 signatures.

RELIGIOUS EDUCATION

Miss Roberts: I have a petition from the constituents in my riding:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Request the government of Ontario to provide time for opt-in classes in our public schools for the teaching of religious education and moral ethics to all those students whose parents request it."

If this cannot be provided, they request publicly funded Christian schools on the same basis as the Roman Catholic schools.

I have affixed my signature pursuant to the standing orders.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
RESOURCES DEVELOPMENT

Mr Laughren from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 67, East/Central Ontario Recreational Trails Commission Act, 1989.

Motion agreed to.

Bill ordered for third reading.

STANDING COMMITTEE ON ESTIMATES

Mr Cousens from the standing committee on estimates presented a report on the estimates selected in the second round and the estimates not selected by the standing committee for consideration.

The Speaker: Pursuant to standing order 58(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

1520

INTRODUCTION OF BILLS

MUNICIPAL STATUTE LAW
AMENDMENT ACT, 1990

Mr Sweeney moved first reading of Bill 229, An Act to amend certain Acts related to Municipalities.

Motion agreed to.

The Speaker: I believe the minister gave an earlier explanation.

Hon Mr Sweeney: This is for another bill. This bill makes several changes to municipal law. A number of the changes are intended to make the county system easier to understand and more accountable, and these changes have been endorsed by the Association of Municipalities of Ontario. Other amendments dealing with municipal borrowing and investing were developed in consultation with AMO. Among other changes, the bill allows municipalities and school boards to exempt non-profit groups from property taxation.

MUNICIPAL ELECTIONS STATUTE LAW
AMENDMENT ACT, 1990

Mr Sweeney moved first reading of Bill 230, An Act to amend the Municipal Elections Act and certain other Acts related to Municipal Elections.

Motion agreed to.

ENVIRONMENTAL HARM ACT

Mrs Marland moved first reading of Bill 231, An Act respecting Environmental Harm.

Motion agreed to.

Mrs Marland: The purpose of the bill is to establish a new civil remedy for the protection of the environment. The bill would permit any person to bring an action against any person whose activity is causing or is likely to cause harm to the environment. A court could order a defendant to pay damages to compensate the public for harm to the environment caused by the defendant's activity.

The bill would also permit a court to order other types of remedies, including granting an injunction. Any damages awarded against a defendant would be payable to the Environmental Compensation Corp. A court could recommend that funds paid as damages would be used to remedy harm to the environment caused by the defendant's activity and to restore, replace and rehabilitate the environment.

I also wish to acknowledge the Ontario Law Reform Commission's report, which was the suggestion of this bill.

444610 ONTARIO INC ACT, 1990

Mr Miller, on behalf of Mr Ruprecht, moved first reading of Bill Pr34, An Act to revive 444610 Ontario Inc.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "no."

In my opinion the ayes certainly have it.

Motion agreed to.

ENDANGERED, THREATENED
AND VULNERABLE SPECIES ACT, 1990

Mr Wildman moved first reading of Bill 232, An Act to revise the Endangered Species Act and amend the Law relating to Endangered Species.

Motion agreed to.

Mr Wildman: The purpose of the bill is to replace the Endangered Species Act. The act currently provides protection to endangered species of animals and plants. The bill extends

this protection to threatened and vulnerable species. In addition, a minimum fine is provided for violations of the act. The bill also amends the Environmental Assessment Act to provide that the provisions of that act apply to any project that might affect the habitat of an endangered, threatened or vulnerable species.

CITY OF TORONTO ACT, 1990

Ms Poole moved first reading of Bill Pr77, An Act respecting the City of Toronto.

Motion agreed to.

BOROUGH OF EAST YORK ACT, 1990

Mr Velshi moved first reading of Bill Pr96, An Act respecting the Borough of East York.

Motion agreed to.

ORDERS OF THE DAY

ONTARIO LOTTERY CORPORATION AMENDMENT ACT, 1990

Mr Black moved third reading of Bill 114, An Act to amend the Ontario Lottery Corporation Act.

Mr Farnan: I do want to take this opportunity to make some comments. The minister will appreciate that the procedures we have in this House do not allow for members of the opposition to respond to the minister's final statement during second reading. The minister did make some comments in his final statement on second reading that I think are worth highlighting in this debate at third reading.

The issue at stake here is that, in designating lottery funds or lottery profits, from now on they be designated not only for culture, sports, fitness and recreation, but by Bill 119 they would be designated also for hospitals, and this particular legislation, Bill 114, suggests that they may be designated to be used for the environment.

1530

I have argued at length that with the funds from lotteries going into the general consolidated revenue, we really do not know what dollar is being spent for what purpose. I have argued that the government is marketing lotteries very aggressively. In marketing lotteries aggressively the government is generating increased funds, and obviously the government will sell more lottery tickets if it has a sick child or a crippled child or a cancer treatment clinic on the lottery ticket than if it has a javelin thrower or a symphony orchestra.

The New Democratic Party, we have said, is not opposed to the fact that gambling is a reality of our present society. We can see many of the positive aspects—it creates jobs and for many people it is a social interaction—but we do want to say to the minister and we do want to say to the government that there is a dark side to gambling. If the government is aggressively marketing lotteries and generating in excess of \$500 million per annum, the government must realize that many lives will be damaged as a result.

During the course of the debate we established that there was not one gambling rehabilitation clinic, not only in Ontario but in all of Canada—not one clinic. We have a government that is actively promoting the sale of lottery tickets with not one clinic in the province. At the same time we are actively promoting gambling, we are sending Ontarians south of the border for treatment.

The point I want to make is this: It is fine that we are sending people for treatment south of the border. However, we only pay 75% of OHIP and the individual who needs treatment at that particular moment of time has to come up with 25% of the cost of the treatment. If you happen to suffer from the disease of alcoholism, if you happen to suffer from the disease of pathological gambling or if you happen to suffer from an addiction to drugs, at the moment in which you are broken in body and in spirit it is very likely that your financial situation is also in total ruin. I would suggest not only is your financial situation in total ruin, but your relationship with those who are close and dear to you may have been severed. The individual himself cannot come up with that kind of money and those individuals who perhaps had relationships with him are in a situation where he or she cannot appeal to them for support.

We are saying that you can have treatment, but the treatment is south of the border and it costs 25% of the cost and the individual at that particular moment of time is not able to pay for that cost.

The minister was very generous in his comments as to my contribution to the debate and I appreciate very much his comments in his summation. I will just take from a couple of notes here what he said: "We listened intently and we listened carefully, because it was well-considered, it was thoughtful and it provided all of us with the opportunity to consider very carefully some recommendations which are being made by the member for Cambridge and which, I am sure, most of us in this House will consider and consider carefully."

I want to remind the House what my recommendations were. My recommendations were that we would take all the profits from lotteries and out of the \$500 million, the half a billion dollars generated, we would designate 0.5% of the profits, half a cent out of every dollar, for gambling rehabilitation programs.

This is not something new. We look to other jurisdictions. In the rural state of Iowa in the United States and in the state of New York a percentage of lottery profits is used, not simply for gambling rehabilitation but also for rehabilitation for those who are addicted to drugs and for those who suffer from the disease of alcoholism.

Some of the jurisdictions south of the border have said, "If a government is generating huge amounts of revenue through the sale of alcohol or through the promotion of lottery tickets, it is reasonable that a percentage of those funds be designated for the dark side of the issue." And there is a dark side.

I put forward in committee the proposal that 0.5% of lottery profits be designated for such a purpose and it was ruled out of order by the committee. I have not gone through the process of committee of the whole on the basis that the presumption, obviously, is that it will be ruled out of order in the assembly also. However, I remain convinced that it is possible to allocate or designate a specific percentage of profits from these areas to help try to rebuild lives that have been broken, either through alcoholism, through drug addiction or through pathological gambling. That is a reasonable request. The minister himself has said it is reasonable and that we will consider it and consider it carefully.

The minister did not have the opportunity when the committee was sitting, but his parliamentary assistant did, to listen to the people who came forward and gave testimony at that committee, individuals who suffered from the disease of pathological gambling, whose lives had been broken.

One of the remarks made by the minister in the concluding debate for second reading went as follows: "I have to say to the

member for Cambridge, although I sympathize with his views, although I recognize the validity of the points he has made, there is one link that is missing." Here is the link: "There is not at this point, to the best of my knowledge, research which clearly indicates the link between lotteries and compulsive gambling. There has been, as many members have pointed out, very limited research done, so we are not in a position where we can draw conclusive conclusions."

In a very technical sense the minister is right. If he is looking for a large study drawing a correlation between gambling on lotteries and pathological gambling, there is not that large study. It has not taken place in Canada.

But we had men and women in the flesh who came before the committee and said: "Look, my life has been destroyed. I have been buying up to \$1,000 a week of lottery tickets." These individuals started off buying \$5 or \$10 worth of lottery tickets. When an individual is compulsively drawn to spend \$1,000 a week on lottery tickets, that person is indeed sick. They have lost control. The urge is so great that they cannot control their urge. That individual is sick.

We saw, as a committee—

Mr Ballinger: Oh, get serious. Come on.

Mr Farnan: "Get lost," says the member opposite.

Mr Ballinger: I did not say that at all

1540

Mr Farnan: We had a woman come before the committee. She was in tears. She had lost her family and she had lost her house, and why had she lost this? Because she had this absolute, uncontrollable urge to buy lottery tickets. There were other individuals who came forward and gave testimony, and the testimony underlines the dark side of gambling.

If the minister wants to delay, if the minister wants to stall, if the government wants to delay and wants to stall, it will say, "We can't do anything about this at the moment, until we have a study." While they are making their study, other lives will be broken. As those lives are broken, innocent children will suffer because an individual who is spending an exorbitant amount of funds to feed his gambling addiction or his alcohol addiction or his drug addiction may indeed be taking food off the table, may indeed be taking away the opportunity of a pair of shoes for the kids.

This government says, "We realize there is no clinic." Members have heard the evidence. People have come forward and said, "Lotteries are ruining our lives," and the government is saying, "We'll consider it." That is not good enough.

As far as the minister's argument goes that there must be a correlation between lotteries and pathological gambling, that is not good enough either. In the other jurisdictions in the United States where they have taken a percentage of lottery funds, they do not say it can only be used for pathological gamblers who have been addicted as a result of lotteries. They allow those funds to be used for pathological gambling whether it is on horse races or football or anything else. They allow those funds to be used for alcohol rehabilitation. They allow those funds to be used for drug addiction rehabilitation. In the rural state of Iowa, using 0.5% of lottery funds, they have been able to establish 13 rehabilitation clinics, 13 in a small, rural state. I have to believe this is a problem that must be addressed.

"I say to the member for Cambridge," commented the minister, "that I am supportive of the positions he has made and that I recognize the validity of the concerns he has expressed. I want him to know I am prepared to work within cabinet and to work

within government to try and address that problem, and to work with him to address that problem."

I want to thank the minister for that commitment and I want to assure him that I and the New Democratic Party will give him our total and absolute support in bringing assistance to those who suffer from all of the addictions I have mentioned.

The minister is also responsible for the government's war against drugs. As the leader in that war I have to say to him that he cannot be a leader if there are no facilities to serve those who are in distress. So he has our support when he goes to cabinet. I do hope the minister will comment on this fact.

Again, I am quoting from his second reading debate. "I remain unconvinced that taking lottery funds, which could suggest a link between lotteries and compulsive gambling, is the most appropriate way to address that need." The individual who is suffering from pathological gambling does not care where the money comes from. It really makes no difference to him where the money comes from as long as there is a clinic. It is a fact that if you suffer from the disease of alcoholism you could be on the waiting list for months. All members of this House should be concerned.

I want to make one further point. I moved an amendment. I moved the amendment when Bill 119 was being discussed, which was designating lottery funds towards hospitals, and I moved the amendment again in committee on Bill 114, suggesting that one third of all lottery profits should be directed to sports, culture, fitness and recreation. That was the original designation of all lottery profits.

The sports and cultural groups of this province have been saying to the government: "Give us the guarantee. Not your word, mind you, because the government will come back and say, 'Well, the Treasurer gave you his word you would get \$120 million per annum over the next three years.' Well, \$120 million per annum is not one third of lotteries." So the sports and cultural groups want a guarantee of a minimum of one third of all lottery profits and that is a reasonable expectation.

Mr Ballinger: There is no guarantee to life.

Mr Farnan: The former mayor of Uxbridge continues to interject during this important debate and to interject rather rudely, I might say.

Mr Ballinger: As if you don't do that.

The Deputy Speaker: Order, please.

Mr Farnan: It is unfortunate that the former mayor of Uxbridge does not take seriously this issue to the degree that he is prepared to listen to the arguments that are coming forward from the opposition benches. When I appeal on behalf of those who suffer from the diseases of alcoholism, pathological gambling and drug addiction and the former mayor of Uxbridge has nothing but abuse to shout across the floor, that is certainly demeaning of the process of this assembly.

They were the two amendments I called for. We will be looking for action on the part of the government in the future. There are people out there who are hurting. The minister has made a commitment. I sincerely hope that he is successful at cabinet. We will be watching carefully, as will many people across the province who are suffering from these diseases.

Mrs Marland: My comments on Bill 114 will be very brief because the concerns I have previously expressed about this Liberal government's continuing policy of using the lottery profits for more and more needs in the province are well recorded in Hansard. Certainly we in the Progressive Conservative caucus recognize, if the government does not, that if the

government were being fiscally responsible in its planning in the protection of the environment, as is addressed in Bill 114, or as was previously addressed in terms of the operation of hospitals in Bill 119, it would recognize that both of those areas of responsibility in Ontario today are paramount and cannot be left at the whim of lottery profits.

Frankly, the risk to the original organizations for whom the lottery corporation was established is very real. The recreation, physical fitness, culture and sports groups already have experienced an increase in rejections of their applications for Wintario grants. Just talk to any of those organizations and you will find that their Wintario grant applications are increasingly being rejected. Frankly, we think that for any government to keep going back to the lottery trough to use it as a cash cow to fund the problems that have been created by underfunding by this Liberal government of the protection of the environment and the operation of hospitals is simply unacceptable.

1550

Mr Ballinger: Oh, come on, Margaret.

Mr Laughren: Spend, spend, spend.

Mr Ballinger: That's right.

The Deputy Speaker: Order, please.

Mrs Marland: It is very significant and rather disappointing that the member for Durham-York is prattling away about how my comments are incorrect, because the truth is that some of the areas that we have already addressed in the debate of Bill 114 are becoming so crucial to the people of this province that this Liberal government will sooner or later have to open its ears, its eyes and its hearts and listen to the people of this province. They may find that the time for them to do that may be sooner than they have planned, because it may well be at election time when they find out the real truth about how the people of this province feel about priorities.

There are no greater priorities in this province, in this nation or in the world today than the preservation of the environment and the preservation of human health. If this government fails to recognize that the funding of recreation, physical fitness, culture and sports and all the programs that those areas encompass are in fact the practice of preventive medicine in keeping our people healthy, then this only goes to reconfirm the myopic vision that this Liberal government has for the people of Ontario.

With respect to the debate that is to follow the passage of this bill today in third reading I am going to restrict my comments, but only to say again that if indeed in Ontario today we had a responsible, caring, listening government with an administration that had any kind of clue at all about what was going on in Ontario, it would not turn to a lottery to fund the protection of the environment. That is what Bill 114 is doing. Frankly, it is just like everything else that we know about the Liberal government. If they do not have an instant answer, they pull something else out of the hat.

Mr Ballinger: Even your mother wouldn't believe that.

Mrs Marland: This Bill 114, I say to my friend opposite, will surely come back to roost in the archives of the history as to what the Liberals are doing in terms of priority for the government.

It becomes even more ludicrous when you read the bill itself. It just adds the words "the protection of the environment" to the long list which this government now has for the use of lottery profits. It does not guarantee any money. It has no dollar

amount for anybody any more. It just says that the money will go through to the consolidated revenue fund to be disbursed at the direction and decision of the government. So we have no control. When the lottery funds go into the big, black hole of the bottomless pit of the consolidated revenue fund, we have to sit and wait with bated breath to hear where these little pennies will be dropped out around the province to their favourite groups and organizations. Is that the way to fund the protection of the environment?

Mr Ballinger: That's the way the Tories did it. We aren't Tories.

Mrs Marland: When the member for Durham-York interjects, what he is saying is that this is the way it has always been done. Well, that in fact is not true. Bill 114 stands as a bill in this House today, I say to the member for Durham-York, Bill 114 stands as a bill in this Legislature today adding environment to the appropriation of money from the lottery profits. I am standing in this House today simply to say on behalf of the Progressive Conservatives that our priority is that we believe the environment is far too important and far too major, a number one priority for all of us, to be funded by lottery profits which are already now depleted and have become far too thin a source of funding because of the heavy load that has been put on those profits through the previous bills of this government.

Ms Bryden: I am speaking on third reading of Bill 114 because I feel it is very important to report to the House on the results of the one day of public hearings which were held on the bill by the standing committee on general government on 14 June. Those hearings were held at the insistence of the New Democratic Party members on the committee to find out how the 200 groups in the cultural, recreational, fitness and sports fields that appeared at the 1989 public hearings on the Treasurer's lottery grab had fared under Bill 119 since that bill was passed in December 1989.

At the insistence of the New Democratic members of the committee, all of the groups, which amounted to over 200, received an invitation from the clerk of the committee to send in written comments or to request a time slot to appear. Since the notice was very short and the time allotted was very limited, only a few were able to attend in person, but a considerable number wrote to the committee.

They told us that they had seen no evidence of increased funding as a result of the Treasurer's commitment on the last day of the 1989 hearings to guarantee \$120 million in 1990-91. Any grants they had received under previous grant programs were flat-lined and no additional funds were made available, either for inflation or for new programs or new groups.

The Alliance to Protect Culture, Recreation, Sports and Fitness in Ontario, which is an umbrella group covering a great many of those 200 groups that appeared, wrote to us. They had asked for a commitment of one third of the lottery funds, but they got no such commitment in either 1989 or now. They write:

"Bill 114 adds environment to the lineup for lottery funds. This being the case, we would like some further assurance that culture and recreation will continue to have priority in the use of lottery funds for growing needs.

"As you know, the Treasurer has committed a minimum of \$120 million of lottery funds for each of the three fiscal years ending in 1991, 1992 and 1993. It would be comforting and important for us to have the details of proposed lottery expenditures on culture and recreation in the current fiscal year, now that the budget has been finalized. In this connection, we would

like to be assured that none of these funds are being used for activities previously financed by non-lottery funds."

Many of the groups that wrote mentioned that adding the fourth category under Bill 114 to the groups eligible to receive lottery funds put them at a further disadvantage in qualifying for any grants of lottery funds. The term "for the protection of the environment," which Bill 114 adds to the list of groups eligible to receive lottery funds, simply created a huge threat to any group that might think that if it had to compete with the environment, it would come fourth rather than first.

1600

Let me read the Toronto Arts Council letter which it sent in response to our letters that went out to the previous groups:

"The Treasurer, in response to the Toronto Arts Council's concerns and those of the 100-plus deputants who appeared before the committee, assured the arts community that culture will remain a high priority and that the community can 'plan on \$120 million a year minimum,' which would represent a higher expenditure than in past years. We were told that Bill 119 did not threaten the government's funding commitment to arts and culture.

"However, the Treasurer's recent budget suggests a very different reality. Although the average increase in the budget was 6.8%, the Ministry of Culture and Communications received a 1.8% increase. The result of this increase, after allowance for current inflation, is a reduction of 2.8%. In addition to the decrease, the Treasurer has introduced Bill 114...which will allow environment spending to be added to that for arts, recreation, sports, fitness and the operation of hospitals"—and the Trillium Foundation—"from 'dedicated' lottery proceeds.

"For the past five years, the city of Toronto has increased support to the arts by 264%.... The Treasurer's 'gesture' will have a critical cumulative effect on the already fragile health of the arts community. The municipal politicians will be receiving a clear message from the Treasurer of Ontario that arts and culture are not a priority in the government of Ontario's agenda. The city of Toronto does not have the means to make up the shortfall to the arts community which will occur as a result of the 1990-91 appropriation to the Ministry of Culture and Communications, nor does it have the political desire.

"Given this most recent amendment to the Lottery Corporation Act, again we pose the question to the committee on general government, the Treasurer and the government of Ontario: What assurances does Ontario's arts community have that culture will continue to have priority in the use of lottery funds? In this regard, the Toronto Arts Council requests details of the proposed lottery expenditures on culture in the current fiscal year, now that the budget has been finalized."

I would hope the minister will provide this information to the committee.

Another group that wrote to us is Dance Ontario. We all know that dance is a new and growing cultural field attracting a great many artists, musicians and performers in the province and adding a great deal to our culture. I quote from their brief:

"Dance Ontario is appalled to hear that the government is proposing to expand further the number of beneficiaries of lottery moneys....

"The lottery monies have already been wrested away from the original beneficiaries of the Ontario Lottery Corporation Act—culture, recreation, sports and fitness—and spread to include Ontario hospitals and the Trillium Foundation. This was done despite strong opposition from proponents of culture and recreation.

"The Ontario government has recently presented a budget which puts the Ministry of Culture and Communications at the bottom of the heap—25th out of 27 ministries in terms of increases received—with a budget allocation far below the rate of inflation.

"There has been no sign of the \$120 million the Honourable Robert Nixon promised would go to culture, recreation, sports and fitness in his summing up of the hearings on Bill 119.

"If you want any arts in this province or wish to have an indigenous culture, it is time to put a stop to this constant erosion of funding to the arts and culture. We cannot survive without government support. The decline in government funding in Ontario has already caused the death of three dance companies in Toronto alone.

"While many dancers in Ontario are strong supporters of any efforts to protect their environment, we do not feel such action should be dependent upon lottery funds. This action should be included as part of the province's overall budget and should be tax-based to ensure that those companies who have damaged the environment are helping to pay for cleanup and future protection."

Another group that wrote in was the Writers' Union of Canada, which said:

"The protection of our environment should be an absolute priority for all sectors of our society and be on the agenda of each and every government ministry. It should be fundamental to everything we do, not another excuse to plunder an inequitable tax of choice."

The Kingston Symphony Association writes:

"Protection of the environment is a very big task to share your salary with.... While all of us are pleased that the government of Ontario is concerned about the environment, it is discouraging to note that arts funding is regularly cut in order to support each new cause."

The Mariposa Folk Foundation points out that:

"There are still many cultural organizations that show evidence of underfunding, even today, long after the lottery act was struck.... The government should not consider amending the act until the original mandate is met.... By providing money for environmental protection that is not raised directly from activities that cause environmental damage, the government is in effect subsidizing these activities."

Another group that came before us with a very impressive brief was the Parks and Recreation Federation of Ontario, which is an umbrella group for a great many municipalities and recreational groups across the province. They point out that recreation has a role in preventive medicine and even preventive social services. It pledges support for Bill 114 if it is given assurance that environmental projects supported by lottery funds would be preventive rather than remedial. It seeks assurance that lottery money would be used, for example, to conserve existing environmentally sensitive areas, rather than to pay for sewer separations or other cleanup measures. The government has given no such assurances.

Those are just some samples of the many groups that wrote in to us saying this bill is definitely an abuse of the Treasurer's power to take lottery funds and use them as he wishes and to put a fourth competing group in the lineup for lottery funds.

I think it really should be withdrawn in order that we can return to the original purpose of the lottery act, which was sports, fitness, culture and recreation. This sort of bill is not a contribution to the needs of this province; it is simply a further tax grab by the Treasurer, with no guarantees to any group. I feel that, we have now seen what has happened to all these

groups and how badly they are faring with no prospects for future increases in the current fiscal year, and probably not in the next two, even though the Treasurer has said he is going to grant them the same amount, we must review our support of the cultural and recreational activities and stop raiding the lottery funds for that purpose.

The Deputy Speaker: Minister, do you wish to wind up?

Hon Mr Black: I will be brief. Bill 114 allows the establishment of a new lottery fund, a fund which was committed in the 1989 speech from the throne. The lottery fund will provide funds for a new purpose which is a priority for the people of Ontario and a priority for this government, the protection of the environment.

I want to make it very clear that the addition of environmental protection to the list of government programs which can now benefit from lottery profits will not in any way affect funding for culture, recreation, sports and fitness, and I am surprised that two members of the opposition parties have dared to even suggest such a thing. On the record is the word of the Treasurer of this province. The level of funding for culture, recreation, sports and fitness is higher today in Ontario than it has ever been in the history of this province. How anyone could suggest otherwise in view of those facts is just a mystery to me.

I should also say that we had public hearings on Bill 114. There were some concerns expressed and two issues were raised. One was the belief that by adding another beneficiary the lottery pie will simply be divided into smaller pieces. That assumption, in my view, is not correct. The research done by the Ontario Lottery Corp suggests that by introducing an environmental lottery we will be bringing in new lottery players and new dollars to the lottery games.

I would like to take this opportunity to note two resolutions that were agreed to by the standing committee. I would like to assure the member for Hamilton Mountain that the government will consult with the Parks and Recreation Federation of Ontario regarding the use of moneys raised for the protection of the environment as a result of this bill.

1610

I would also like to assure the member for Cambridge that the Minister of Health will receive a copy of the submission by the Canadian Foundation on Compulsive Gambling for her attention and consideration. I repeat once again my support for the will of the member for Cambridge.

Finally, this is sound legislation which addresses needs in the province, which addresses priorities both of the people of Ontario and this government, and I am pleased to move third reading.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

Some hon members: No.

The Deputy Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

COUNTY OF SIMCOE ACT, 1990

Mr Ballinger, on behalf of Mr Sweeney, moved third reading of Bill 177, An Act respecting the Amalgamation of certain Municipalities in the County of Simcoe.

Mr Ballinger: Very briefly, we had a very healthy discussion the other day at second reading. Unfortunately some of the members are not here, but I would like to pay tribute to the member for Simcoe West and the member for Simcoe Centre who worked very closely with the municipalities and with our ministry to bring to fruition this particular bill on the amalgamation, which is being supported at home in a very great way. On behalf of the minister, we are very pleased about that.

Motion agreed to.

HOUSE SITTING

Mr Ward moved that, notwithstanding standing orders 6 and 9, the House shall continue to meet from 6 pm to 10 pm on Wednesday 27 June 1990 to consider government business.

Mr Laughren: I just want it on the record that the reason this Legislature must sit tomorrow evening rather than the normal hours of this place is because of the inconsiderate behaviour of the Premier yesterday afternoon when he walked out of the House and would not stay for the debate on the failure of the Meech Lake constitutional accord.

Mr Pouliot: Perhaps at the risk of sounding repetitious, with high respect, indeed at a time when perhaps our country is facing its worst constitutional crisis, the Premier, the captain of this ship, chose to let the temptation of egocentricity, vanity and a close focus towards the next election get ahead of decorum and in fact—and the words are not too strong—good manners and what needs to be done. We have been betrayed in believing that due process would be followed, that courtesies would be extended to the leaders of both the official opposition and the third party in this House on such an important matter. Regrettably, this was not done.

Hon Mr Ward: Just to sum up, having listened to the comments of my colleagues, I want to say that this place always revolves around issues of perception. From my perception, the reason for this motion is because some members of the opposition were rather petulant and unruly yesterday. As a result, we have to take a little extra time to finish the bills.

Motion agreed to.

NORTHERN ONTARIO

NORD DE L'ONTARIO

Mr Laughren moved motion 3 under standing order 42(a):

That this House condemns the government of Ontario for its failure to recognize:

that northern Ontario has been a source of enormous wealth for the private sector;

that northern Ontario has been a source of enormous revenues for the provincial government;

that the provincial government puts very little revenue back into the north;

that the roads in northern Ontario are in terrible shape;

that the Liberal government has not proceeded with serious four-laning of highways in the north;

that the delivery of health care services in the north is still inferior;

that northern municipalities have particular problems of boom and bust while the Liberal government freezes unconditional grants;

that forestry jobs are threatened because of this government's failure to live up to its commitment to provide

seedlings and because of the continuing practice of clear-cutting;

that almost no attempts have been made to diversify the economy to create jobs nor to work with the private sector and create meaningful jobs when serious layoffs occur;

that the Ontario government continues to treat northern Ontario citizens like second-class citizens;

therefore this government has lost the confidence of this House.

Hon Mr Ward: Mr Speaker, on a point of order: I neglected to mention before the order was called that there was an agreement, I believe, among the parties to divide the time equally. I would seek unanimous consent.

The Deputy Speaker: The government House leader seeks unanimous consent to divide the time equally up until 5:45. Is there agreement?

Agreed to.

Mr Laughren: I wish to express my gratitude to my colleagues who have allowed us a few minutes this afternoon to discuss this motion of non-confidence in the government on its treatment of northern Ontario.

I must say there are some very specific reasons as to why we moved this motion of non-confidence in the government. Just because the government has a huge majority does not mean that it is treating people in all parts of Ontario fairly. It is our view that it is not treating people in northern Ontario fairly.

There are a large number of issues, and I realize there is not a lot of time for any one member to get on the record this afternoon, but for me, I can tell members that the way this government continues to treat our forests is a major concern and one that I resent very much.

Second, the way in which transportation is handled in northern Ontario is grossly inadequate and inferior relative to the way transportation needs are delivered in southern Ontario.

On health care, this party had a task force on health care that travelled the north. I can tell members that is a major shortcoming of government policy, the delivery of health care services in the north.

Finally, there is the failure to put in place any serious community adjustment programs in communities that either desperately need them now or will desperately need them a few years down the road.

When the government changed, we assumed that some of the policies and attitudes about northern Ontario would change as well. Unfortunately, that simply has not happened. I expect the members from the Liberal caucus to stand on their hind legs this afternoon, defend their government's record and say things that would lead people to believe that they are indeed pouring money back into the north.

The fact remains that if you were to go into northern Ontario and ask people all across the north what they think of the way this government is treating them in the north, you would get an overwhelming response; namely, it is not treating them any differently than the previous Conservative government treated northern Ontario.

1620

To be fair, I would make one exception to that. I happen to believe the transfer of public sector jobs to northern Ontario was a good thing. I believe that the government did a good thing when it implemented that program. There is still a long

way to go, we understand that, but I do believe the government is on the right track in that regard.

If you go beyond that, you really have to look hard for anything meaningful, anything substantial that this government has done for northern Ontario. You really do have to scrounge. With forestry, we are still falling behind by 100,000 hectares a year of serious reforestation in northern Ontario. That is surely outrageous given how much we know about forestry now. We know, for example, that 90% of the cutting that goes on in northern Ontario is still clear-cutting. I asked the Minister of Natural Resources this afternoon what she thought was an appropriate size for clear-cutting. She said she did not know and would not express an opinion. The fact is that there is no limit on clear-cutting in northern Ontario, no legal limit.

Interjection.

Mr Laughren: There are in other jurisdictions, as my colleague the member for Algoma says, but not in northern Ontario, no legal limit on clear-cutting. They can cut as big an area as they want, and indeed they often do. Surely that is outrageous.

Ninety per cent of the tending that goes on now once these seedlings are planted is done by spraying of herbicides. That we have to change as well. We know that the amount of cutting that goes on in the last 10 years has gone up by 39% and the volume of roundwood that has been taken out has gone up by 64%, so the harvesting that is going on of our forests is increasing dramatically, truly dramatically.

I know there is still a lot of public subsidy going into reforestation. A great deal of money is going into it, but that is all the more reason why we should have more say over what goes on in those forests. They are highly subsidized, whether it is the provision of seedlings or the building of the forest roads. For this government simply to turn that over to the private sector is inappropriate. To let them decide what the clear-cut will be and let them decide what kind of spraying goes on is not appropriate for the public forests of this province.

I would like to say a couple of words about transportation. If there is one area where this government has fallen flat on its collective faces, it is in the whole provision of transportation in northern Ontario. You have to look long and hard to find out any improvement in the highways in northern Ontario—almost none. Where is the four-laning in northern Ontario that this government talks about but never delivers? I could take members to paved roads in northern Ontario where the potholes are so bad that people are afraid to drive on the road. There have been serious accidents because of those potholes.

When you talk about air transportation, we now have a discussion going on that flights to northern Ontario will be diverted to Buttonville or Hamilton. Is that not beautiful? No word at all from the Minister of Northern Development, no sense at all that he will protect the interests of northerners when it comes to the diversion of flights from northern Ontario to Toronto. Never a word.

Hon Mr Fontaine: Are you going to Chapleau? Three flights a day from Chapleau.

Mr Laughren: When those flights get diverted to Mount Hope and to Buttonville, where is the minister going to be? He will be where he has always been; nowhere is where he has been.

On the provision of rail service, we have asked this minister to take over the Budd car and the VIA Rail service in north-eastern Ontario because the members and I know that the

federal government does not give a sweet damn about rail transportation anywhere in the country, including northern Ontario. Therefore, it seems to me it is up to this minister, the Minister of Northern Development, and the Minister of Transportation to provide some of that service, to take up some of that slack, because it is inappropriate the way northerners are being treated concerning rail, air and road transportation. It is simply not appropriate.

When it comes time to talk about health care in the north, as I said earlier, this party had a task force that travelled all over northern Ontario soliciting opinions about how to improve the health care in northern Ontario. I can tell members that if there is one clear message that came through it was that, first of all, the present delivery of health care system is inadequate. Second, we have made what I think is a very reasonable and a very positive proposal to this government; namely, let's put in place a different model of health care for northern Ontario. Let's make it community based, let's make it preventive in nature and let's start by having a medical school in northern Ontario. That would build that different model. We are not asking for a carbon copy of the health care system we have in southern Ontario.

I wish there was more time but the time has been eaten up by other matters this afternoon, so I will not speak longer other than to ask especially the government members to think seriously about how northern Ontario residents feel about the way they are being treated by this government. It is inappropriate.

Mr Harris: I am pleased to have the opportunity today to talk about northern Ontario and to talk about the concerns that northerners have been expressing now for a considerable period of time, concerns that this government does not even begin to understand the needs, the aspirations and the desires of northerners to make the decisions for themselves as to the direction they would like to see northern Ontario develop in.

Let me acknowledge up front that there is one thing this government has done. It has continued the move to relocate some civil servants into northern Ontario, a move that of course we applaud because we think it does provide some stability in the way of those jobs to northern Ontario. However, the 1,500 or 1,600 or so who are being moved are about northern Ontario's share of the 10,000 new civil servants that this government has hired since it took office.

Some people said to me in the north, "Is southern Ontario concerned that 1,600 civil servants are going to be relocated from southern Ontario to northern Ontario?" I said: "No. There are 10,000 new ones being hired by this administration across the province, so there are still 8,400 new civil servants being added across southern Ontario. Northern Ontario is simply getting its fair share of the growth of the bloated bureaucracy that this government has been responsible for."

I wanted to mention that up front and give a little credit where credit is due, that at least northern Ontario is getting its share of the new civil servants whom this government is employing.

When it comes to economic development, when it comes to the areas that northerners are concerned about, there has not been a single move to address, in any sense, in a comprehensive way the problems we are facing in northern Ontario. I point out a number of very irritating examples that indicate a lack of understanding of northern Ontario.

Regarding municipalities in the unorganized areas of my riding, when this government announced some of its Sunday shopping moves, it completely left out the unorganized areas of

northern Ontario, indicating either that (a) nobody in the cabinet was speaking up for northern Ontario or that (b) those making the decisions in southern Ontario failed to understand that there are many vast, remote regions in northern Ontario that do not have organized governments representing them and that in fact for them the government is the province of Ontario.

We have other examples in my riding where the government now is trying to force its way through to amalgamate smaller communities into larger ones. In West Nipissing, there is a move afoot to put in, if members can believe this, regional government for a total population of about 20,000 people, many of whom have no form of organized government now. They have their local roads boards to provide those needs. They do not wish to get involved in a formalized government. They have their fire protection, they have their local roads boards and they are not asking for any other services.

1630

This government has now embarked upon a program not only to have them forced into becoming organized and having to have offices and hire staff for 300, 400 people in some cases in these townships—in some cases fewer than that number of people in the townships—but also to have a regional tier of government. Who is speaking up for the unorganized areas? The government there versus some of the larger municipalities that are organized is the provincial government. So we have, on the one hand, the provincial government forcing this on the people and, on the other hand, it is the only organized body of government to represent those people. It is a totally wrong approach.

I have never seen where bigger is better. I have heard municipality after municipality tell me, "Boy, if we could just grow and if we could get this industry here in our town." I am not opposed to that, but they say, "If we could get that, that would reduce the property taxes for the home owner." I have never, never, never seen a case where that is the case. There is a demand for services, and then the second layer of government adds to it. You destroy by taking away in many cases the names of these communities. You destroy the volunteerism, you destroy the initiative, you destroy the pride that these people put into their very own communities when you try to lump them into one larger community.

I suggest to the government that while it is pursuing options to look at cost-sharing of services, which I am all in favour of and which many of the smaller communities are in favour of, it draw the line there. It is not necessary to destroy complete identities of smaller communities, particularly those in northern Ontario, to enter into cost-sharing arrangements for some services that should be cost-shared on a larger basis.

Let me point out a few other examples. Since I was elected in 1981, we have been calling for a significant improvement in our infrastructure of northern Ontario: four-laning Highway 11, four-laning Highway 17, four-laning Highway 69. The last piece of four-laning that was done on Highway 11 was brought in by the former government during the recessionary period of the early 1980s. That last piece was brought in and it opened from North Bay south, to south of Callander. Not one single scrap or bit of four-lane highway on Highway 11 has been added since that time.

This government has run its budget up from \$25 billion in 1985 to \$44 billion. The Minister of Transportation ran around. His parliamentary assistant promised: "Yes, we're going to four-lane. Yes, we're going to do this. We're going to study it. We're going to do all that." Time after time and budget after

budget, all we see is: "Yes, it's a priority. Yes, we're going to do it."

Not one single kilometre has been added to Highway 11 by four-laning. Now, in this last budget, in the allocation that we saw just this week, again it says: "Four-laning in northern Ontario will be a priority. We plan to accelerate." What do they plan to do, accelerate the rhetoric? We are tired of rhetoric in northern Ontario. We have been fighting for this, we are united in it, community after community. It is not good enough.

We have talked about gasoline prices, we have talked about investing money in the infrastructure, instead of the government trying to pick the winners and the losers. The winners and the losers are very difficult for a government to pick, so I have been critical. I have been critical of programs by the former government and by this government that suggest that we should continue to solve northern Ontario's problems by giving grants to companies.

We are tired of having to give grants to companies. Does the government know what happens when it gives a grant to a company? Does it know the fundamental question it has to ask itself? What is wrong with Ontario that it has to bribe a company to do business in this province? That is what is wrong when it gives grants.

Surely, if the government is going to assist industries in the short term—and I admit, in the short term, until the government gets its act together, it should build us the four-lane highways, improve our airports, look at our gasoline prices, help us to be more competitive—until it does that, it has no long-term solution.

If the government is going to help industries directly in the short term, it should let northerners pick which industries should be supported. Second, the government should not give grants. They can give loans if they are going to help them that way, but not grants to companies so that those liabilities go with the companies. The government is throwing money away with a lot of the grants it is handing out all across this province and including some of the businesses in northern Ontario.

I was astounded when the Deputy Minister of Northern Development came out with the report. This was a secret memo from the Deputy Minister of Northern Development to the cabinet secretary, Peter Barnes, 18 April 1990. This secret memo from the deputy minister to the cabinet secretary revealed that the north was in a poor economic position and that it was deteriorating rapidly and that something had to be done. When that was brought to the attention of the Premier, what did the Premier say? The Premier said: "No, the north's not in a poor economic position. The government has gone out of its way to bring prosperity to the north."

Unless the government admits there is a problem, unless the Premier is prepared to admit that and the cabinet is prepared to admit that, then it is difficult to expect that they are going to address it in a meaningful way. To date, they have not even admitted that there is a problem.

The other program the government talks about is the northern Ontario heritage fund. What has the northern heritage fund done? The first year it was supposed to be \$30 million. The first year it showed that it spent \$667,000 to promote and stimulate economic growth and diversification in northern Ontario. Temagami, an area in desperate need of financial assistance, received less than \$45,000. Some of the large companies, MacMillan Bloedel, Normick Perron and Westinghouse Canada, received \$100,000 as a small business incentive.

The other absurdity is that the \$100,000 incentives they got—maybe it is legitimate, I do not know—were all available

under existing programs that had been in place for the last 20 years. The government has brought in the heritage fund and it is taking money out of there that used to be in the northern development fund. It is not a new program. There is nothing new and imaginative being brought to bear.

I do not want to take too much of the time. We have a limited time today and I know my colleague the member for Parry Sound—which we think is in northern Ontario, but which this government, in spite of promises, still has not lived up to all its commitment on—has a few remarks that he wants to make as well.

Hon Mr Fontaine: What about Robarts and Davis? Did they live up to their promises to them?

Mr Harris: The Minister of Northern Development yip-pety-yaps. I cannot understand what he says. I cannot understand him in English and I cannot understand him in French. All I understand is that he is not living up to his commitment to support northern Ontario.

What about our municipalities? Here is the city of North Bay, unconditional grant from the province in 1989, \$11,342,000; in 1990, \$11,342,000. The government flat-lined the municipality of North Bay for the unconditional grant again this year. Is it any wonder our property taxes are going up in northern Ontario?

Northerners bring direct concerns such as Laurentian University of Sudbury, which has been lobbying extensively for a college of pharmacy on the university campus in Sudbury and related health care needs at a time when we know we are short of health care professionals in northern Ontario. We are having difficulty attracting them. There was a recommendation made by the Lowy commission that suggested there be another school of pharmacy. Nothing over the past year has been moved. This came from northerners themselves, willing to participate, willing to help them solve the problem. Yet the government sits on it and does nothing about it.

1640

My colleague from the New Democratic Party the member for Nickel Belt mentioned Temagami region and the parks policy. If ever there was an absolute sellout and disgrace of northern Ontarians, it has been in the parks policy of this government and this administration. Nobody knows what it is. There is so much uncertainty in there. They go in and tell one mill, "Yes, you can cut here and the next year you can't." They go ahead and makes investment decisions. They go ahead and plan. Then the government comes along and says, "No, you can't cut. We've changed our mind. We're not going to have any harvesting here." They take an area of the province and say: "You can't do anything here. You can't cut trees. You can't trap. You can't hunt. There will be no forest management here." Then, right beside it, "Go ahead and clear-cut the bejabers out of that." What sense does that make?

Until we get to a policy of multiple use for our resources in this province, we are going to be having environmental disasters brought on by this government. Until they get to the attitude that every square inch of Ontario land should be treated as park land and should be managed in an environmentally sensitive way, until they get into the multiple use philosophy of our areas, they are selling out northerners. They are selling them right down the tubes.

I was intrigued when the current Minister of Natural Resources made a statement to the Hamilton Spectator on 24 February. The minister said: "We have to strike a balance be-

tween who uses the land for what purposes. There are a multitude of interest groups, and we can't favour one over the other." If ever I have heard people talk out of both sides of their mouth, it is this government and this administration.

They have done exactly the opposite of that. They have pitted interest group against interest group. They have taken a piece of land and said, "It will be exclusively this here, exclusively this there, exclusively that there." There has been no consultation with northerners on these vast areas of northern Ontario land. They are wiping out community after community. Elk Lake is a community that will disappear right off the map, probably to the satisfaction of this government. Then they will have no organized government from Temagami right through to Timmins, all the way up through that area.

Unless the government starts listening to northern Ontarians about land use planning, about multiple use, unless it starts giving them some say in this priority setting and the sharing of decision-making and unless it at least admits there is a problem and recognizes that the north must be treated differently if it is to share in the prosperity and the booming times that have come across this province over the last four or five years—and they look like they are coming to an end now—surely the government must accept that there is a problem to begin with and then it must sit down with northerners to begin to address that problem.

I will pass to others who wish to speak. I could go on all day about the lack of sensitivity, the lack of understanding this government has shown for northern Ontario and, quite frankly, by extension, for all other regions of this province. I can understand how eastern Ontario feels. I can understand how rural Ontario feels. They have been shut out by this government, and I think it is disgraceful.

Suffice to say we will be supporting this motion. We on this side of the House have absolutely no confidence whatsoever that this government, this Premier, this administration understand what is needed in northern Ontario.

Hon Mr Ramsay: I am very proud to stand in my place today as the member for Timiskaming to speak to this motion that has been placed on the floor by the official opposition.

I must say that dollars and cents, as has been criticized here by my Tory colleague, have a lot to do with this. But basically the vision of this government, the leadership of the Peterson government, has to do with the people of northern Ontario. I must tell my colleagues a little bit about what has happened in my riding, the tremendous challenges that have occurred. We have had some problems in Timiskaming. We have had mine closures.

I think what is very important, as has been pointed out by the leader of the third party, is that you cannot necessarily control the economy. You cannot necessarily control the closures of mines. We all know, as northerners, that mines are beginning to close on the day that they open. I think what is important is how government responds to the economic challenges that do face northern Ontario, whether it be my area or the full north that we have above the French River.

I think what is very important, and I want to tell members what has happened in my area, is how this minister, the member for Cochrane North, our Minister of Northern Development, has responded to the challenges there. The Minister of Northern Development was in my riding the day after Dofasco had announced the closure of those mines. He was there to talk to the people, to say, "We are here to help you rebuild the economy of this area."

There is no point sugar-coating what is happening up there. We have a lot of problems in our mining sector. We have to rebuild them. What this minister said was: "We're not going to come in here and do it all for you. What we're going to do is to come into the area and help you rebuild the economy."

One of the most important aspects of that was, he said: "We in the north have got to work together. We're going to have to put away the parochialism that maybe we've suffered a bit too much up in northern Ontario. We will have to work together and that is my challenge to you, to start to work together to respond to the hand that we are putting out today to you in northern Ontario to help rebuild this economy."

That is what this minister has done and that is what this government has done. I would rather defer the rest of my time so that all of the other northern members who are here today can speak to that issue and talk about the tremendous response that this government and this minister have come forward to northern Ontario with, to help us all rebuild that economy.

Mr Pouliot: I certainly enjoy taking part in this debate. Yet there is so little time, with respect, to address a litany of sins, and mostly sins of omission. As we say in French, Mr Speaker, and I want to share this with you, *plus ça change, eh bien, plus c'est la même chose*: the more things change, the more they remain the same.

We have had 42 years of neglect for the north from the previous government, where the previous administration chose to deal on a piecemeal basis. Now the government adds to it another five and a half years, and there is an analogy or the following parallel of people who on account of a lack of planning are destined to failure. It reminds me of the two people who are changing deckchairs on the Titanic. It is not a matter of the rigmarole, it is not the change, but more important is that destiny is inevitable in this case.

Why the motion of non-confidence? Simply because, if I may be so bold, people are fed up. Fed up of being second-class citizens in the context of the less fortunate in our society, and yes, the people, in terms of natural resources, who contribute the most, people who are wishing the government to acquiesce at reciprocity in this kind of economic endeavour, so that we northerners will have our place under the sun.

1650

When someone says: "I'm proud to be a Canadian. I love the north. I talk to the people of the north and I say, 'We'll do it together,'" I want to hear this. But what I want to hear too is that the provincial tax, which exceeds 11 cents a litre—that the government, and it can do so by the stroke of a pen, will over the next five years, for instance, cut two cents off to provide an incentive for people who are living in the north, to provide an incentive to people who are ready to locate and can do business on a level playing field; that the government will say, for goods that are produced or assembled in the north, the provincial sales tax, which is now some 8%, will be reduced by 1% or 2%. The government should mean what it says and come up with specifics, come up with planning, with a timetable, a program that would be addressed.

We know very much on a daily basis the importance of having an improved and extended road system in our province, and the government comes to us and says, "We will give you \$30 million." Well, the hand that takes from our resources, from our future, and the eyes that watch ourselves, our sons and daughters first, have to leave the north because of the lack of opportunity but, more important, because in terms of priorities the government has refused to say, "Yes, we shall collectively

do what needs to be done"; the difficulties in competing with the Barries of this world and other jurisdictions. It is very difficult, for we do not have the same level playing field.

Our circumstances are different. Our reason for being is different. What we are asking for, whether we are talking about health, whether we are talking about opportunities for the present survival or whether we look to the future and we say, "Yes, we shall do so with confidence," is again our place under the sun. We cannot do it alone, although the entrepreneurial spirit is alive and well. People put their best foot forward, they go with their forte, try to satisfy the environment, but they need an integration. They need a government that would be innovative and imaginative. The old system has not worked. The government needs to be bold. It needs to take a chance with people. It needs to have élan. It has to have a flame. It has to mean it, and bring the dossier of people who supply the other part of Ontario, the second Ontario, the other Ontario with its resources.

Again, I will be supporting the motion of non-confidence. I have no illusion that it will not pass, but it will serve to highlight the legitimate grievances, the need and the right of the opposition to offer positive and workable alternatives so that the north will finally have the same standards in terms of goods and services and look to the future with the same degree of confidence, more importantly, for our sons and daughters.

Mr Eves: It is a pleasure for me to partake in this debate this afternoon. I know that it will come as no surprise to anybody in the Legislature to learn that members on the opposition side of the House, especially those of us who are northern members, will be speaking in favour of the motion of the member for Nickel Belt, and I am sure that all northern members from the government side of the House will be speaking against the motion of the member for Nickel Belt.

I do not have any doubt about the sincerity of commitment on the part of the Minister of Northern Development and Mines, and never have had. I think the Minister of Northern Development and Mines is indeed a very sincere person, dedicated to the interests of northern Ontario, but I do not think that the Premier and his cabinet colleagues necessarily listen to the things which he feels and we feel, those of us who live in northern Ontario, are needed for the people of northern Ontario.

I want to be a little bit parochial today because I do not have that much time left and I want to speak specifically about the issue of northern status for the Parry Sound riding. We have gone through this on numerous occasions in the past. Parry Sound riding is much more than just the Parry Sound area of the province of Ontario. Geographically, it is the fifth largest riding in the province. It includes the entire district of Parry Sound, everything in Nipissing district east of the city of North Bay, which goes up the Ottawa River a way. It also includes, I believe, a small portion of Renfrew, and it includes all of Algonquin Park.

For many years, various ministries of the government, one at a time, recognized Parry Sound as being part of northern Ontario. To the current minister's credit and after much persistence on behalf of the Federation of Northern Ontario Municipalities, other municipalities throughout northern Ontario, as well as those in the riding of Parry Sound, and two private members' resolutions which I introduced in 1987 and 1988—and which passed unanimously, I might add, in this Legislature—finally, on 9 June 1988, he rose in his place and announced that effective 1 April 1989, Parry Sound riding—that is, all of the district of Parry Sound and all of the district of Nipissing—would be included in northern Ontario for the pur-

poses of all government ministries, all government agencies and all government programs related to northern Ontario.

I had thought that had put the matter at an end. I am reading from the minister's own words: "We acknowledge that the people of Parry Sound and Nipissing indeed share those special needs and that they deserve access to the special government programs established to address them."

"Official inclusion in northern Ontario will give individuals, institutions and organizations access to specific programs oriented to northern needs. For the people of Parry Sound and Nipissing, particularly those lying south of Algonquin Park and the French River, this means being treated in a consistent fashion with other northern districts by all government ministries."

There are no outs in those words—for all programs offered for northern Ontario.

We still are not recognized in Parry Sound riding as being able to participate in the northern health travel grant program. The response I have been getting from the Minister of Health for a couple of years now as to why we are not included is that it is not a northern program. It is called the northern health travel grant program. The regulations under the act define what northern Ontario is. If that is not a northern Ontario program, there will never be one. That is the most stupid explanation I have ever heard in my life.

If she just does not have the money and does not want to spend it, why does she not just fess up and say that, except that the Premier and the Minister of Northern Development and Mines have already committed her to that program. I presume the Ministry of Health, being the largest in the government, is one of the ministries to which there are no exclusions or exceptions and to which the Premier and the minister were referring.

Education: For many years, boards of education in Parry Sound riding looked for the day when they could participate in northern rural Ontario factoring into their educational grants. They had access to that for exactly one year. Then the Minister of Education, this year, changed the entire factoring system, so that it will cost east Parry Sound residents \$500,000 more this year alone on their local tax bills because of what the Minister of Education has done to the commitment that the Minister of Northern Development and Mines made on 9 June 1988.

It will cost the west Parry Sound Board of Education taxpayers over \$300,000 this year alone because of the copout by the current Minister of Education from the commitment that was made by the Premier and the Minister of Northern Development and Mines in June 1988.

The Ontario Development Corp: I raised this issue in a member's statement here this afternoon because this morning I was faxed a memorandum from the economic development officer in Parry Sound. This is a very non-political person. She is employed by the various municipalities in the west Parry Sound area.

She has been informed by the Ministry of Industry, Trade and Technology that later this year Parry Sound applications for the Northern Ontario Development Corp no longer will be processed in northern Ontario, in Sudbury, as they are now, but they will have to be sent to a newly created southern Ontario Development Corp office that is going to be placed in Bracebridge, just by coincidence, I presume it happens to be, in the riding of the member for Muskoka-Georgian Bay. I would not want to say that the only rationale that I can possibly think of is to help justify the existence of that office in Bracebridge. It probably makes more sense to put it in some place like Orillia or Barrie if it is supposed to service central Ontario. However,

there has to be a rationale as to why it is going into Bracebridge, I suppose. And who is going to pay? The people in Parry Sound district and Nipissing district, which are in Parry Sound riding, are going to pay.

They have developed over the years a very good rapport with NODC, Norfund, the Northern Ontario Development Advisory Board, the northern Ontario heritage fund, among others. These people worked very hard at coming to Parry Sound, helping the people in Parry Sound riding solve their problems. That consultation is done either through Sudbury or North Bay. Now we are going to have the situation where these people are going to have to go to a place in southern Ontario that does not really know anything about the problems of northern Ontario, let alone the programs that are specific to northern Ontario, to justify the existence of an office in Bracebridge. I do not have anything against the people in Bracebridge. I am just saying the government should not renege on a commitment to the people of the Parry Sound riding because it wants to justify the rationale for an office existing in Bracebridge by the southern Ontario Development Corp.

1700

I want to speak a little bit in the few moments I have about health care, besides northern health travel grants. Northern health travel grants are probably the most important issue in my particular constituency because they affect very directly individuals who can least afford to pay. There are a few other examples that we have had recently with respect to health care. We all know the problems that Laurentian Hospital and the cancer treatment centre in Sudbury have gone through. They have a commitment for bricks and mortar, but they cannot get a commitment to get somebody to head up the research department. Despite many pleas on behalf of opposition members, the Minister of Health has refused to budge.

There are six psychiatrists right now to deal with the entire population of Ontario from Sudbury to the Manitoba border, a population in excess of 250,000 people. For comparison, in the city of Ottawa, which has 500,000 people, there are over 200 psychiatrists.

Mr Haggerty: They need them over there.

Mr Miclash: They need them.

Mr Eves: Some members on the government benches think the answer to that is that they need them in Ottawa. I do not think that is the appropriate answer to a very serious health care concern.

I have cancer patients who have to travel from Mattawa to Thunder Bay for treatment. I have a lithotripsy patient with kidney stones right now, whom I have contacted the ministry and the minister about on several occasions, who has been waiting for treatment since April 1989. I currently have a heart patient who has had his surgery at Sunnybrook Medical Centre postponed some three times. I have had others who have not been so lucky and who have died after having surgery postponed, in one case, five or six times. I have had children who need heart surgery at the Hospital for Sick Children have to go elsewhere or have their surgery postponed five or six times—six-month-old children. These are some of the problems that we have with respect to health care in northern Ontario.

Recently we even had a couple of officials from the Ministry of Municipal Affairs appear in Parry Sound at municipal meetings and suggest that what we need in our area of the province is regional government. "Regional government" is not the term they chose. They said, "Merging together of various

municipalities"—this coming from the same government, the same party that fought regional government for years and years and is now suggesting it as a solution to the people of the Parry Sound riding for some of their problems. It is absolutely ludicrous.

Because of the problems that I have found, which I thought were resolved in large part on 9 June 1988, I will certainly be supporting the resolution by the member for Nickel Belt here this afternoon.

Mr Kozyra: I am happy to join in this debate because I am filled with pride when I stop to think of the measures that this government has taken with respect to northern Ontario over the past five years. Our commitment to improving the northern highway network has been well demonstrated. The Ministry of Northern Development and Mines funding for highways is \$115 million for 1990, almost 60% higher than the 1986-87 allocation. This increased funding will enable us to continue to improve the highway, access road and municipal road systems in the north on an ongoing basis.

We are dedicating almost \$125 million between 1989 and 1993 through the transportation capital program to fund a number of improvements to our major northern highways. These projects include the accelerated planning and design of four-lane projects on Highway 11 and Highway 69; the construction of the Parry Sound and southeast bypasses; the planning, design and initial construction of four-laning on Highway 17 from Thunder Bay to Nipigon, as well as a new Highway 17 alignment from Thunder Bay to Shabakwa, and accelerated completion of other improvements to Highways 11, 69 and 17, such as resurfacing, construction and new passing lanes.

Upgrading our secondary highway system remains a high priority. Between 1987 and 1989 the Ministry of Northern Development and Mines helped rehabilitate a total of more than 1,000 kilometres of roadway, and further funded more than 170 kilometres worth of expansion work. Hundreds of kilometres of resource access roads and municipal roads were also rehabilitated.

Last fall the Minister of Northern Development opened four new remote airports to provide service to remote native communities. These airports represent a provincial investment of nearly \$11 million and are providing improved access to medical care, fresh food and opportunities for business development. The scope of the community airport program will be expanded this year. To date the focus had been on funding improvements to attract new or expanded commercial passenger aviation service. In the coming year runways will be lengthened in key communities to provide for provincial firefighting aircraft. One such project that was recently opened is in Chapleau. We provided funding of \$250,000 to extend the airport runway by 300 metres to bring it up to the standard for forest fire operations.

In conclusion—there are many other examples I could list, but I want to give my colleagues further time—our successful policies are due in great part to the efforts of one truly special northerner. As Minister of Northern Development, the member for Cochrane North has spearheaded many of the initiatives that are now in place. He has worked tirelessly to represent northern Ontario and has achieved a great deal of success. These examples should suffice to prove that this government is the best partner and that this minister is the best minister the north could have.

Mr Wildman: I will just speak briefly in this debate because of the time allocated. I want to say that I recognize that

the Minister of Northern Development is sincere in his attempts to improve the situation in northern Ontario, but I would like to put on the record some figures.

In my view the 800,000 people who live in the north continue to be shortchanged. Hundreds of millions of dollars in government taxes and company profits go south each year, much more than ever return to the north. Since 1986 the provincial resource revenues have amounted to \$830 million. The mining tax profits have provided the government with \$521 million. Revenues from forestry operations brought in \$309 million.

These amounts pale, though, when you consider the enormous corporate profits that flow southward. Thirteen of the largest resource companies active in northern Ontario made \$10 billion clear profit in the last half of the 1980s. Typically these companies use these profits from their northern operations to finance development, takeovers and real estate ventures in the greater Toronto region or in the United States, instead of returning investment to northern Ontario communities. This government has done nothing to change that situation. It is similar to the situation we endured for so long under the previous administration.

Meanwhile northern unemployment is high and thousands of young people must leave to find work in southern Ontario communities where they cannot afford to live because of the high cost of living. The government has done little to diversify the economy in the north or to end the boom-bust cycle. Mining jobs are being lost in places like Elliot Lake, and forestry jobs are being threatened because of the disregard for the future of our forests both by the public and private sectors.

We know that the government has transferred jobs to the north. It talks about the 1,600 total jobs that have gone to the north. We support that program. I was part of a committee that recommended a similar program to that. However, let's put it in perspective: 1,600 total jobs moved to the north, but 2,000 jobs are being lost in one community, in Elliot Lake, a community of 18,000 people.

Time and again the voices of the people of the north have been ignored. I think it is time that the people of the north decided what should be done in terms of investment in the north, and that is why I support this resolution.

I do not have confidence that the situation in northern Ontario is going to change. Sure, we may get a little more money for some secondary highways. We may get some money for certain developments and small businesses in some communities. We may get some assistance for some municipalities. They may throw a few grants here and there. But the overall problem of boom-bust, resource-based, single-industry towns will not change.

We are not going to see a diversification of the economy in northern Ontario unless the whole philosophy about the development of the north changes. Instead of allowing the private sector to determine investment in the north, or lack of investment in the north, that investment must be directed by the public sector. The government must have a commitment to producing jobs in northern Ontario on a sustainable basis and so far we have not seen that, so I support the resolution.

1710

Mr Miclash: I must say today that I am very pleased to join in this debate and to share with my colleagues the sense of pride and the satisfaction I personally have derived from this government, and in particular derived from representing the people of the Kenora riding.

Mr Laughren: Self-satisfied, that's what he is.

Mr Miclash: My friend the member for Nickel Belt earlier spoke about the forestry industry, something that he will know is of great importance in my riding. But before I get on to that and tell members a little more about what we have done as a government for the forestry industry, I just want to let members know that we have a partnership developed, a partnership that I see very clearly in my riding, with the government that we presently have in power in the province.

All I have to do is refer to the number of times that the partners—the partners in the government, the ministers and the Premier—have been in my riding to learn a little more about the problems, the things that are affecting us in Kenora riding. I see that as a very important partnership, one that has developed between the people within my riding, the people who tell the government what is needed in the north, and the government itself.

Getting back to the forestry issue, I would just like to tell members a little about the sustained use of our natural resources that we have grown to see through this government and how this has been put forth in the forestry industry.

We have developed what we call a balanced forest management program, which includes good harvest planning, the choice of appropriate regeneration techniques and a very firm commitment to the proper tending of the forests of northern Ontario.

Let me tell members a little about what the Minister of Natural Resources is doing for our forests, again a very important issue in my riding. This year alone the ministry has spent \$231 million on forest management and of course that includes \$150 million on the renewal activities alone. So we can see a good commitment, where we are seeing a government today that is planting two trees for every one cut in the north.

We in the north know the importance of the resources to us and I must say that I think we are doing a very good job of ensuring that the forestry industry is going to be retained throughout the north.

In concluding, I would just like to say that I have been a representative of this government, which I have seen will listen to those concerns of my constituents in Kenora riding.

Interjections.

The Deputy Speaker: Order, please. Could we keep interjections to a minimum, before we proceed with the member for Sudbury East.

Miss Martel: I am pleased to participate in the debate and I agree entirely with the resolution that has been placed by my colleague the member for Nickel Belt. I want to touch on a few matters in the short time I have.

First of all, concerning highways, On 5 April this government made a major announcement on transportation in southern Ontario, in the greater Toronto area in particular—\$5 billion committed over the next five years to transportation routes in southern Ontario.

I would have expected that when the minister opened the goody bag for Christmas, he would have at least given northern Ontario some share of that money. Not a penny, not a dime, not one cent was contributed to northern Ontario or promised to northern Ontario in that announcement.

The worst thing was that the least he could have done was to say that the government was committed to four-laning of Highway 69 and other highways in northern Ontario, and set out a timetable for that. The Minister of Transportation did not

even have the decency to do that. I think it is high time that this government got around to committing to the good people of northern Ontario that there will be four-laning, and provide a timetable and guarantee the funding over the next number of years so we can have adequate transportation routes as well.

Second, let me talk about unconditional grants. Single-industry towns in our special part of the world have really taken a beating with the ups and downs of resource prices, and with the fluctuation in the interest rates as well. For those towns in northern Ontario, this government's commitment through unconditional grants is absolutely crucial if they are going to provide badly needed services in their own communities.

In many cases the government is providing the lion's share of some of the money that those communities need to put those services in place. I do not think this government has any idea of the kind of grief it has caused municipalities in northern Ontario, in the last two years in particular, because it has frozen or flat-lined unconditional grants. For services that southerners take for granted, northern Ontario communities do not even have enough money to get those projects off the ground.

I agree with the regional municipality of Sudbury, which writes to the minister and says that in this review of unconditional grants the Ministry of Municipal Affairs is undertaking, it really has to look at northern communities and the needs northern communities have around unconditional grants, especially in light of the boom and bust economy.

Let me talk about health care in the short time I have. There is a lot to be said about health care, but many members have heard what my northern colleagues and myself have said regarding our report and the work we did on our health care tours in northern Ontario. I want to focus on two points in particular.

Number one, the travel grant: The travel grant in this province is woefully and totally inadequate. This Minister of Health and this government have done absolutely nothing to change that, in spite of the cases we have raised in this House, in spite of what her own members have gotten up to say in terms of the changes that are required.

There is no companion grant covered. Young people can go with their parents and receive medical treatment and the parents would be covered. In the case of senior citizens, if they need someone to accompany them, in the case of blind people, people who are too sick to travel alone, none of those people get covered for companions, and that is absolutely unacceptable. None of the total cost for accommodation, for air fare, for wages lost when people have to take time and go with relatives in search of medical treatment in southern Ontario is covered. It is time this government addressed the inadequacies in the northern health travel grant in this province.

It is totally unacceptable that northern Ontarians must pay out of their own pockets when they have to travel to southern Ontario to access medical care. Medical care in this province is a right, not a privilege, and it is about time this government got its act together and made the changes that are necessary to ensure that all of us will have equal access to medical care in this province.

In the long term, this government has to realize that the only fundamental way we are going to attract and retain health care professionals in northern Ontario is to have a medical school in northern Ontario. It is not enough to have an initiative that allows for some residencies in northern Ontario in the hope that people are going to remain. That will never be enough, and we are only looking at doctors in this latest government initiative. We have said time and again that we have to be training all

kinds of health care providers in northern Ontario, using our universities, using our college system. Until we establish a medical school in northern Ontario to respond to northern needs we are never, ever going to be able to attract and retain the health care providers that are essential in northern Ontario.

Finally, in terms of the economy, the north has always had higher rates of unemployment than southern Ontario. A lot of that discrepancy goes back to the fact that so many of our communities are single-industry towns. There are approximately 162 municipalities in the north with less than 3,000 population. Some 50 of those communities rely on a single industry. Some 30 of those alone depend totally on forestry revenues. In spite of this fragile economy, we have always given much, much more to southern Ontario in terms of profits.

My colleague the member for Algoma mentioned what the public sector took out in terms of forestry revenue, \$100 million in 1988-89; in terms of mining profit tax, \$197 million in 1988-89 alone. The private sector, Inco for example, took over \$1.7 billion out of the north in the last five-year period. Falconbridge took over three quarters of a billion dollars.

What do we get back in return? We get back a mealy-mouthed, Mickey Mouse kind of northern Ontario heritage fund that gives us \$30 million in one year over the next 12. That is not enough to respond to the terrible economic problems we see with the closure of Sherman Mine, Adams Mine and now in Elliot Lake. It is about time we started getting something back for all the money that is taken out of northern Ontario. It is about time this government got serious about diversifying our economy. I agree entirely with what my colleague has said. Myself and northerners have no confidence in this government.

1720

Mr Brown: I rise today, proud to be a northerner and proud to be part of this government. I represent a riding that is going through some difficult times. In one part of my riding, actually, we are seeing growth and development, but in Elliot Lake, our major city, we are seeing a major downturn due to market forces. We are losing in Elliot Lake in excess of 2,000 jobs. That is making for very, very difficult times. Our people are insecure. Our people have to consider their options. It is not an easy time for the community.

But I am heartened and I am happy that when the announcements came that the community would be losing these jobs, the first thing that happened was the Minister of Northern Development was on the phone saying, "Mike, tell the community I am with them." The minister and I went to the community and met with the major groups in the community, the companies, the unions, the council of the community, and we pledged to that community that we would work together to diversify and rebuild Elliot Lake's economy. The Premier said to me, "I will come to Elliot Lake and I will talk to them." The Treasurer came to Elliot Lake and we talked to him, and we are seeing in Elliot Lake—

Mr Laughren: Do you know what he said? He said, "I've got nothing for you."

Mr Brown: That is not what he said.

The Deputy Speaker: Order, please. The member for Algoma-Manitoulin will address the Speaker.

Mr Brown: The Premier has committed that this community will rise out of this catastrophe, and no other word will describe it, to be diversified, to be strong, because it has strong community leadership. All segments of the community are pulling hard.

Over the last few months we have seen some major announcements, and we are about to see some more major announcements for this community, as we intend to rebuild a diversified, strong future for Elliot Lake. I think in a few years we will look at Elliot Lake as a model of how to diversify the north. I am sure that all members of this House will appreciate the strong direction that comes from the Minister of Northern Development and the Premier of this province, and the proof will be in the pudding.

Mr Hampton: I am pleased to support the member for Nickel Belt in this resolution, because from my part of Ontario I see every day that what has happened with the change of government has been perhaps a change in the level of some of the grants, perhaps a change in the timing and perhaps a change in the direction, but other than that, very little has happened.

Northern Ontario has traditionally suffered from years of neglect at the hands of a Conservative government that was focused almost entirely on southern Ontario. When the regime of the Peterson Liberals took over, a lot of rather grandiose promises were made to people from across northern Ontario, grandiose promises about health care, about highways, about economic development, diversification and so on.

The sad fact is that all that has happened is that this government is a little better at fine-tuning its funding and its grants so that they arrive just before an election, a little bit better at doing that than the previous government.

Let me give an example. I see the Minister of Health shaking her head. For the last five years, representatives of the Ontario Medical Association and municipal representatives have been here to Queen's Park advocating that more training of physicians be conducted in northern Ontario. In fact, I can show members the report we issued in November 1984 called *Miles to Go*, which advocated more training of health care professionals in northern Ontario. That was followed by another report, *Operation Critical*, which outlined again the need to train more medical professionals in northern Ontario.

After five years, just in time for the next election campaign, this government finally announces a pittance, and I say a pittance because the program will not be in place so that we can evaluate if it has even been effective until 1994. As I said, the timing of the grants has changed so they arrive just before the election campaign now, but little else has changed.

Mr Morin-Strom: I appreciate the opportunity to have about two minutes to give some concluding remarks with respect to the resolution that has been put forward condemning this government with respect to its actions on northern Ontario.

Over the five years that I have served in this assembly, I have seen my colleagues and myself raise issues of serious concern right across northern Ontario, but we have seen very little in terms of action from this Liberal government. We did get several commitments from this government during the minority government days, the accord agreement, but since this government has achieved its majority government, the only significant initiative that this government continues to hark back to is the moving of jobs to northern Ontario, some 1,600 jobs which were announced some four years ago, and that is still its only major initiative for the north.

Surely it is time this government recognized that the problems of the north are far more profound than the moving of some government jobs from the city of Toronto. The north has to have an economy that is diversified, that can accommodate the kind of boom and bust cycles that are prevalent in the forestry and in the mineral industries that are the mainstays for

northern Ontario. Until the government addresses the real economy of the north and recognizes what the real needs are for northerners so that the northerners can be full participants in this province of ours, northerners will continue to be second-class citizens. The people of the province understand that; we understand it in the north; I wish the government understood that.

L'hon M. Fontaine : Il me fait plaisir cet après-midi de participer à ces débats. Lorsque j'ai visité la circonscription de Nickel Belt, il y a deux semaines — j'étais à Gaugama, et j'ai appelé à mon bureau et on m'a dit qu'il y avait une motion. La ligne de communication était très difficile, alors je croyais que mon ami le député de Nickel Belt avait une motion de confiance envers le gouvernement pour ce qu'il faisait pour le nord. À un moment donné, lorsque j'ai rappelé, on m'a expliqué que c'était une motion de censure. Alors, j'étais tout seul dans mon automobile avec un de mes employés et j'ai dit : «Floyd, écoute une minute. Tu peux pousser.»

First of all, I would like to say a few things about the money that was—they were saying on the first motion or the first resolution—I do not know if it is a resolution or not, but still—they were talking about the money that is being transferred to the north, that the moneys are coming back.

It is funny. A few months ago or a year ago, I asked a question to the people who are involved in studying all this and I was told that the money is coming back, and I am going to give you a few examples of this.

First of all, I want to remind my friend from the opposition that we have got a minister in northern Ontario. You can go around the other provinces in this country and see if they have got a ministry for northern affairs and what the budgets are.

Interjection.

Hon Mr Fontaine: I am going to give a few figures to the member for Lake Nipigon.

Tout à l'heure je vous ai fait parler, j'espère. Vous aller écouter un peu ce que j'ai à dire.

First of all, I would like to remind him that the budget of this Ministry of Northern Development and Mines is \$345 million. He should put that in his mind a little bit. Then on top of that we have got other programs, like the heritage fund that is \$30 million, and we go on with another program that we had in place a few years ago. It was a transfer of money of \$100 million, and this was put in place to help the people for northern Ontario.

1730

First of all, we are talking about money that was transferred. I want to remind the people from the opposition that this is a ministry with this budget, but there are other ministries in northern Ontario that are helping the north.

First of all, I want to remind members about the road situation, and I heard that from many members on the other side. I want to tell them something. When we took over the government the budget was about \$65 million, today we are over \$131 million, and for the people who think there will be no four-laning, do not worry, there will be some four-laning in northern Ontario. This is a commitment that we made—

Interjections.

The Deputy Speaker: Order, please. Please sit down. Assoyez-vous. The Minister of Health, please; the member for Nickel Belt; all members, please; one member at a time, according to the standing order.

Mr Laughren: Now talk sense.

Hon Mr Fontaine: I will talk sense, as much sense as anybody else can talk over here.

Une chance qu'on peut dire que dans la construction de chemins, il y avait un budget, les cinq ans passés, qui était de 65 millions de dollars. Aujourd'hui on est rendus à 131 millions de dollars et puis on a fait des annonces à Sudbury, à North Bay et à Thunder Bay qu'on était prêts à prendre les quatre voies, qu'on allait le faire, que ça commençait déjà. Lorsqu'on a pris le pouvoir, j'avais demandé aux ingénieurs s'il y avait d'autres plans, parce qu'il y avait eu un commencement des quatre voies entre Huntsville et North Bay, mais les ingénieurs du gouvernement m'ont dit à ce moment-là qu'il n'y avait aucun plan. Nous autres, on était prêts à mettre des plans ensemble. On va partir des quatre voies entre Nipigon et Thunder Bay, entre North Bay et Huntsville, entre Sudbury et Waubushene —

Deuxièmement, on a dit qu'on n'a jamais — bon, il faut vous rappeler quelque chose, M. le Président.

I want to repeat in English that we have the Rosehart report, which some members from the opposition sat on, but I want to tell members that, as of today, we have about 95% of the commitments that have been done or resolutions in place.

Another thing: They forget everything, that Mr Rosehart, when he presented his report, said that to change the economy of northern Ontario would take 13 to 20 years. This was repeated by other members of this committee, because they base themselves on Sweden—and I was there this winter for four days. What I saw of northern Sweden was okay, but I can tell members today that we are far ahead of them too on many points. They told me there were universities. I visited those universities, and I think—

Interjections.

The Deputy Speaker: Order, please.

Hon Mr Fontaine: —I can compare any municipalities and areas in the north with their health system, because I can tell members, we are spending on cancer over \$100 million in Sudbury and Thunder Bay. I was told by the member for Parry Sound there was nothing being done for cancer in Sudbury. I do not know which area he lives in, but I can tell members that my ministry gives money towards the research—

Interjections.

The Deputy Speaker: Order, please.

Hon Mr Fontaine: —and we give millions and millions of dollars in Sudbury for cancer, and the heritage board will come in for another \$3 million for the beds because there is a shortage of money from fund-raising. We will come in, and people forget that. They forget about what we are doing for the smaller communities. I want to repeat something: Il faut attendre un peu.

Interjections.

The Deputy Speaker: Order, please. All members had a chance to speak one at a time. No interjections, please. Could we have peace and quiet, please, in respect of the standing orders?

Mr Lupusella: This motion is a complete lie.

The Deputy Speaker: The member for Dovercourt, please.

Hon Mr Fontaine: Part of the Rosehart report was relocation, and we did that at the cost of over \$200 million for build-

ings. On top of that, we are doing more than that. There was another thing. Rosehart said that we should have a fund, and the fund is in place. Another thing that Rosehart said was about medical schools.

Mr Hampton: It's an empty—

Hon Mr Fontaine: I do not know what the member for Rainy River is talking about. This is not a political issue. We were working on this clinical residency for the last two years. Now it is in place and the heritage fund will come in with \$9 million to build those buildings starting this year, not in 20 years from now.

The chairman of the Rosehart committee told me and he told everybody that he agrees with what we are doing with this medical residency.

Miss Martel: No, what did he say—

Le Vice-Président : Le député de Sudbury-Est, s'il vous plaît.

L'hon M. Fontaine : En réponse au chef du troisième parti, ici il y a un article d'un journal conservateur de M. Piché. Tout le monde connaît M. Piché. Alors, ce qu'il dit —

"However, there is something I wish you to know about Fontaine and northerners. We are far better off with our current minister than we were with Leo Bernier while he was minister of a large, superfluous Ministry of Northern Affairs during the years when the Tories were reaping the benefit of the booming economy. It's a good thing that politicians have such short memories; they could not otherwise live with themselves."

I did not write that. That is Piché's paper.

Mr Pouliot: Read the headline.

Le Vice-President : Du calme, s'il vous plaît.

Mr Pouliot: Read the headline. Read the whole thing.

Hon Mr Fontaine: "René Beats Leo Any Day."

There were some announcements lately in Thunder Bay and some friends of mine said: "Today is not a day of criticism. It's a day to say we're beginning to penetrate the Premier, a job well done." I read another article over here from the member for Sudbury East. They said that they have seen some tremendous changes over the years since I was going to school. And then I go back to the Sault Ste Marie paper. One thing I am going to tell members: People forget about diversification.

Mr Hampton: We want a medical school; the medical school, René.

The Deputy Speaker: Order, please, the member for Rainy River.

Hon Mr Fontaine: We got the medical residency. He is going to be surprised about what is going to happen.

I was told by the Rosehart committee that we should start at the base, and I think I did that and my government did that. First of all, we started with the northern development council.

[Laughter]

Hon Mr Fontaine: Do not laugh. In this NDC today, we are looking at the youth and immigration.

Mr Hampton: You'll never get out of the swamp, René.

Hon Mr Fontaine: I will get out of the swamp. The member need not worry about that.

The Deputy Speaker: Order, please. We have a fine example of members having a short memory of the standing or-

ders. The member for Rainy River, order. Would the members respect the standing orders?

Hon Mr Fontaine: Everything that I was told by this committee—to affirm some economic development corporations in municipalities. Today, I am glad to announce that 37 municipalities in the north are using some grant money to start their own economic development corporations, and that is the base. I am going to tell members that a government cannot do that alone. It is the people of northern Ontario with the government—the municipal government, the federal government and the province—that are going to shape up this province.

I never said to anybody since the last five years that I will change that in five years. I said it could take 15 years, it could take 20 years. It is not my fault if after the war there was no decentralization of industry in Ontario, but since the last five years if you go to North Bay, Sudbury, Thunder Bay, Sault Ste Marie and other towns, you will see—

Miss Martel: What about Elliot Lake?

1740

Hon Mr Fontaine: Elliot Lake? Oh, I am going to talk about Elliot Lake, yes.

There are all kinds of things we can do for Elliot Lake, but one thing the union is asking is that this government at some time—I do not know when—build a nuclear plant over there. I will have to ask the opposition what it thinks about that, because we cannot save the miners who are mining uranium if there are no more nuclear plants.

Interjection.

Hon Mr Fontaine: Members should not talk out of both sides of their mouths. That is what the union is asking for, a nuclear plant in Elliot Lake.

Mr Pouliot: Who did you support?

Hon Mr Fontaine: I will support a nuclear plant because the next one will be in the north.

The Deputy Speaker: Order, please.

Mr Pouliot: Watch your blood pressure.

Le Vice-Président : Le député de Lac Nipigon, s'il vous plaît.

Mr Hampton: No medical school, but a nuclear plant.

The Deputy Speaker: Order, the member for Rainy River.

Mr Laughren: You would put a nuclear plant on every corner.

The Deputy Speaker: The member for Nickel Belt. Order, please. Vous adressez le Président et uniquement le Président, et tous les députés respectent les règlements.

Hon Mr Fontaine: I am going to talk about Ontario Hydro. My Premier, a few years ago, said that Hydro should be used as a development tool in the north, but when it comes time to look at certain areas for rivers we have got problems and when it comes time to look at nuclear plants we have got problems. But one of these days, northerners the opposition and everybody will have to decide, because there are all kinds of opportunities.

We changed the rule with Hydro, to buy from private enterprise. There are over 20 new co-generation plants with natural gas. This was not before. The Conservatives did

nothing on this. We are trying to use Hydro as a development tool and I am sure this year or next year there will be some announcement for Elliot Lake. But we will have to have the co-operation of everybody, because every time you want to do something you have got to go through an environmental assessment, and if everybody is against that, it will not happen. But at that time I would like to see the opposition and everybody work together so that northerners get our share in the future plans of Hydro.

I will talk about what my government and my ministry are doing for the small communities. When I came over here as a minister, I was told to try to change the face of this ministry. I think that, by this article from Mr Piché's paper, I did that a little bit. I changed the face of this ministry. I went to the grass roots. I can walk anyplace in northern Ontario, and nobody is shooting me, nobody is throwing me out of town. I was in Chapleau with my honourable friend. I am going to go to Nipigon. Nobody is going to say, "Fontaine, you're out of this town because you didn't work for us," or "Your government didn't work for you."

I tried to split the money equally. I treated everybody across here the same way. I did give money to the ones who criticized. And not only me. Look what happened with the hospitals. In which ridings are they? There are some in the riding of my friend the member for Algoma, there are some in the riding of my friend the member for Nipigon, there are some in the riding of the member for Kenora. But nobody talks about that. Nobody talks about what is happening in his own town. When the members go back home tonight or this weekend, they should look at what is happening in their own place. They should not come over here and try to say that we are doing nothing for northern Ontario.

Qu'est-ce qu'on a fait pour nos amis les autochtones?

I would like to touch a little bit on what we are doing with our native people. We are building airports all over the north. We work with the natives to get Hydro to charge the same price for hydro as it charges in the rural areas in the south. We want that.

On top of that, we are helping them in health, with new ambulance services; on top of that, helicopters. Second, my ministry built two apartment buildings for nurses and doctors, in Attawapiskat and Fort Albany. People forget that. They say we are doing nothing for northern Ontario.

I know we are going through hard times. That we all know. We know there is a 15% tax on the lumber industry. We know the interest is high. But northern Ontario went through bust and boom and we survived. Sudbury survived, Sault Ste Marie survived, Marathon survived and Kenora survived, and Fort Frances, Red Lake and Pickle Lake. We all survived because we are working together.

Le nord de l'Ontario, c'est la plus belle place où on peut vivre.

Interjections.

The Deputy Speaker: Order, please. This completes the debate on Mr Laughren's resolution.

Mr Laughren: Where's the medical school?

Hon Mr Fontaine: You're going to be surprised, sir.

Mr Hampton: No medical school, but we will get the nuclear plant?

The Deputy Speaker: Order, please, the member for Rainy River. Are members through?

Mrs Marland: Yes.

The Deputy Speaker: Thank you.

1750

The House divided on Mr Laughren's motion, which was negatived on the following vote:

Ayes—21

Allen, Bryden, Charlton, Cunningham, Eves, Farnan, Grier, Hampton, Harris, Laughren, Mackenzie, Marland, Martel, Morin-Strom, Philip, E., Pollock, Pouliot, Rae, B., Villeneuve, Wildman, Wiseman.

Nays—56

Ballinger, Beer, Bossy, Brown, Callahan, Campbell, Caplan, Chiarelli, Cleary, Cordiano, Daigeler, Dietsch, Elliot, Elston, Epp, Faubert, Ferraro, Fleet, Fontaine, Fulton, Grandmaître, Haggerty, Hart, Henderson, Kerrio, Keyes, Kozyra, Lupusella, MacDonald, Mahoney, Mancini, Matrundola, McClelland, McLeod, Miclash, Miller, Neumann, Nicholas;

Offer, O'Neil, H., O'Neill, Y., Owen, Phillips, G., Poole, Ramsay, Reycraft, Roberts, Smith, D. W., Smith, E. J., Sola, Sorbara, Stoner, Sweeney, Tatham, Wilson, Wrye.

The House adjourned at 1757.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Clerk: Smirle Forsyth

CONTENTS

Tuesday 26 June 1990

Members' statements

Landlords' restrictions on pets	1927
Ms Bryden	
Government's record	1927
Mr Jackson	
Essay contest	1927
Mr Owen	
Handgun replicas	1927
Mr Farnan	
Environmental protection	1928
Mrs Marland	
Rouge Valley	1928
Mr Faubert	
Minimum wage	1928
Mr Mackenzie	
Northern development	1928
Mr Eves	
Elliot Lake Uranium Festival	1929
Mr Brown	

Statements by the ministry

Retail store hours	1929
Mr Scott	
Minimum wage	1930
Mr Phillips	
Municipal elections	1930
Mr Sweeney	
Volunteer of the Year	1930
Mr Beer	

Responses

Retail store hours	1931
Mr B. Rae	
Minimum wage	1931
Mr Mackenzie	
Volunteer of the Year	1931
Mr Allen	
Retail store hours	1932
Mr Harris	
Volunteer of the Year	1932
Mrs Cunningham	
Municipal elections	1932
Mr Brandt	

Oral questions

Retail store hours	1932
Mr B. Rae	
Mr Scott	
Pension reform	1933
Mr B. Rae	
Mr Elston	

Retail store hours	1935
Mr Harris	
Mr Scott	
Social workers	1935
Mrs Cunningham	
Mr Beer	
Timber management	1936
Mr Laughren	
Mrs McLeod	
Affordable housing	1937
Mr Cousens	
Mr Sweeney	
District health councils	1937
Mr Owen	
Mrs Caplan	
Northern health services	1938
Mr Hampton	
Mrs Caplan	
Support and custody orders enforcement	1938
Mr Villeneuve	
Mr Scott	
Alcohol and drug treatment	1939
Mr Rupretch	
Mr Black	
Employment in northern Ontario	1939
Mr Morin-Strom	
Mr Fontaine	
Living wills	1940
Mr Sterling	
Mr Scott	

Motion

Consideration of certain private bills	1940
Mr Ward	
Agreed to	1940

Petitions

French-language services	1940
Mr Cousens	
Animals for research	1940
Mr Wildman	
Automobile insurance	1941
Mr Ballinger	
Religious education	1941
Miss Roberts	

Reports by committees

Standing committee on resources development	1941
Mr Laughren	
Agreed to	1941
Standing committee on estimates	1941
Mr Cousens	
Presented	1941

First readings		County of Simcoe Act, 1990, Bill 177	1946
Municipal Statute Law Amendment Act,		Mr Sweeney	1946
1990, Bill 229	1941	Mr Ballinger	1946
Mr Sweeney		Agreed to	1946
Agreed to	1941		
Municipal Elections Statute Law Amendment Act,		Non-confidence motion	
1990, Bill 230	1941	Northern Ontario	1946
Mr Sweeney		Mr Laughren	1946
Agreed to	1941	Mr Harris	1948
Environmental Harm Act, 1990, Bill 231	1941	Mr Ramsay	1950
Mrs Marland		Mr Pouliot	1950
Agreed to	1941	Mr Eves	1951
444610 Ontario Inc Act, 1990, Bill Pr34	1941	Mr Kozyra	1952
Mr Ruprecht		Mr Wildman	1952
Agreed to	1941	Mr Miclash	1953
Endangered, Threatened and Vulnerable Species Act,		Miss Martel	1953
1990, Bill 232	1941	Mr Brown	1954
Mr Wildman		Mr Hampton	1955
Agreed to	1941	Mr Morin-Strom	1955
City of Toronto Act, 1990, Bill Pr77	1942	Mr Fontaine	1955
Ms Poole		Negated	1958
Agreed to	1942		
Borough of East York Act, 1990, Bill Pr96	1942	Other business	
Mr Velshi		Estimates	1929
Agreed to	1942	Mr Elston	
		House sitting	1946
Third readings		Mr Ward	
Ontario Lottery Corporation Amendment Act, 1990,		Mr Laughren	
Bill 114	1942	Mr Pouliot	
Mr Black	1946	Adjournment	1958
Mr Farnan	1942		
Mrs Marland	1943	Lists of members	
Ms Bryden	1944	Members and their responsibilities	1959
Agreed to	1946	Committees of the Legislative Assembly	1962

TABLE DES MATIÈRES

Le mardi 26 juin 1990

Déclaration ministérielle	Motion de censure
Bénévole de l'année	Nord de l'Ontario
M. Beer	M. Fontaine
1930	1946
1930	1955



53 1990

53 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Wednesday 27 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le mercredi 27 juin 1990

Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

Hansard reports all debates in English or French as spoken by the participants. It does not translate remarks made in either language. Headings and tables of contents reflect language use.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 June 1990

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

AUTOMOBILE INSURANCE

Miss Martel: Last week this government began to release its propaganda on Bill 68 to the Ontario public. The brochure on the Ontario motorist protection plan was stuffed into my mailbox. My first thought was to toss it where I thought it should be tossed but, after reading the pamphlet, I feel this government should be condemned for neglecting to tell the people of Ontario what this bill is all about.

No mention was made of the fact that the auto insurance industry does not have to pay the 3% premium tax this year. My premiums will not go down as a result, nor do I think the cost for other drivers will be reduced because of this exemption. This \$95-million saving will be pocketed as profit by the industry.

No mention was made of the fact that the auto insurance industry has received a big break with the introduction of the employer health levy. My premium dollars, which might have gone to OHIP to reimburse medical costs associated with an injury, should now be returned to me. I would accept a rebate or lower insurance rates, but this \$45-million saving will also become profit for the industry.

No mention was made that the auto insurance industry got more than it asked for when it came to establishing the threshold. Given the low, low number of people who will be able to claim compensation for pain and suffering, the industry stands to reap enormous profits. The coffers will increase by some \$850 million in the first year alone.

The Ontario motorist protection plan is all about the Liberals looking after their corporate friends. That is what the drivers in this province deserve and need to know.

EASTERN ONTARIO

Mr Villeneuve: I found the Premier's establishment of a cabinet committee on eastern Ontario to be nothing but horn-blowing lipservice that precedes an election, simply paper filled with hollow words.

Last week my colleague the member for Lanark-Renfrew revealed that the government plans to widen five bridges and two kilometres of roadway, erect one new interchange and improve one intersection in the entire eastern region of the province.

Yesterday I told members that the toll-free telephone line to the Attorney General's support and custody orders enforcement branch in Ottawa, which serves the whole of eastern Ontario, is not working. This office, which is vital to single mothers waiting for support payments, has only slightly more than half the staff of the Toronto office, even though it has a larger case load. As well, this summer the St Lawrence Parks Commission has closed down five of its parks, which will deprive our people and visitors of clean, safe, affordable recreation. They are just the most recent examples of this government's neglect.

Looking back at the last five years, I doubt that anyone, least of all the people of eastern Ontario, will believe the

Premier when he says that he will be looking after them with a cabinet committee. He has had six budgets to show some recognition of eastern Ontario's needs. Instead of action, we have a committee which will not even last past the next election. We need action in eastern Ontario, not the negative reaction that we have had from this government.

FANSHAWE LAKE

Mr Reycraft: In Middlesex one way to get relief from the dog days of summer is a trip to Fanshawe Lake, north of London, for swimming, boating, waterskiing and other aquatic sports, yet in recent years the growth of bacteria in the lake has meant the closure of Fanshawe's swimming areas early in the summer.

I am pleased to inform members of the assembly about some diligent work being done by the Upper Thames River Conservation Authority and a task force set up to study the pollution of rural beaches like those in Fanshawe.

Over the past four years the Upper Thames authority has led the way in studying the contamination of rural beaches. The rural beaches strategy program has identified livestock access, milkhouse wash water and rural septic systems as the main sources of pollution to the reservoirs. Now the strategy is to implement the clean up rural beaches program. Finally, the murky waters are clearing.

The program's annual report details the success of projects on various test farms. By working with farmers, the Upper Thames authority is developing effective ways to limit the spread of these pollutants in the reservoirs. While people working on the problems have not yet been able to completely stop the pollution, work done to date is very encouraging.

By continuing this approach of working with farmers and developers, the clean up rural beaches program will enjoy even greater success and the people of Middlesex will still be able to enjoy an escape from the dog days of summer at Fanshawe.

EDUCATION

Mr R. F. Johnston: The select committee on education will present probably its final report to this House and one really wonders why we are bothering to bring in a report on early childhood education at all when it is likely to go the way of other reports. It is going to disappear into that black hole in the minister's office from whence nothing ever comes forward.

I am having a finger shaken at me, but the member knows well that we put in a report on the financing of education and we have heard nothing back on that. There is a major report on religious education as a result of court decisions; there has been nothing on that. There has been a huge delay on the special education initiatives that have been promised by this government, and the Vision 2000 report has had no response at all either from this government, although it has had it for months.

I say to members that we had 34 major recommendations in our last report. One of them, the most crucial one, was about negotiations with the various partners in education around the ceilings for student financing in Ontario. We said that had to be completed by 30 August 1990 and this minister has not even responded to us.

A number of the other items had that same kind of time constraint, as did one which said, "The long-awaited amend-

ments in special education should be introduced by June 30, 1990." This minister has ignored that. He said he will not do it until next fall even though the public consultation on this ended in 1986, four years ago.

People who are concerned about special education and these other matters have a right to know what is happening to the reports that we have all been doing and asking for action from this government on.

HEALTH CARDS

Mr Sterling: My statement today is directed at the Minister of Health regarding the threat that the new health cards pose to individual privacy. On 17 April and 4 June I brought this concern to the minister's attention. My leader has also spoken about this concern. At that time I stated that the word of the Minister of Health and the province's Freedom of Information and Protection of Privacy Act would not guarantee confidentiality.

While the privacy act states that medical information recorded by the provincial government can only be used for the purpose for which it was intended, this act does not apply to the private sector. As a result, it is possible that OHIP or hospital card numbers may be used in the future by banks, credit bureaus, insurance companies and stores. The minister has known about this danger for several months and she has done absolutely nothing to protect the individual privacy of our citizens from the use of these numbers.

The Information and Privacy Commissioner of Ontario has now made public these same concerns and has called upon the minister to make an immediate commitment to protect the privacy interests of Ontario citizens by introducing legislation. It is high time that this Minister of Health took privacy concerns seriously.

1340

FOSTER PARENTS

Mr D. R. Cooke: With the large number of incidents of sexual abuse of children by people in positions of trust coming to light and charges being laid, going back a number of years in some instances, it is time this Legislature honoured some of the great unsung heroes of our society, foster parents.

Foster parents have a great row to hoe. It is often they who form the front line in dealing with society's problems: children who have been abused in their own homes, who sometimes approach life with an enhanced degree of cynicism, who do not understand or readily accept real love and who in many cases, because they feel they are a commodity themselves, may be prepared to create leverage by misunderstanding or even misstating the hand of friendship of a teacher or a foster parent.

Foster parents are particularly vulnerable if they accept these children into their homes. Sometimes it happens in the middle of the night at a point when the children are feeling scared and vulnerable and may wish to strike back.

It is important that we train foster parents to recognize and deal with troubled children as well as investigating problems swiftly and justly. Meanwhile, to those who spend countless hours sowing the seeds of good self-worth and setting good examples, hats off to foster parents.

RELIGIOUS EDUCATION

Mr Allen: One of the most serious and far-reaching issues in education today in Ontario is the place of religious education in public schools, yet the Minister of Education has maintained

an uncanny silence since February on both the Watson report and the court judgement ending all forms of denominational indoctrination that masqueraded as religious education in our schools.

As someone who led this House to unanimous support, two years ago, of the principle of multifaith religious education, I have waited patiently for months for this minister to give some lead, even some hint, of his direction on this issue. One can conclude from his silence that the Watson report recommended a form of multid denominational, not multifaith instruction by church representatives in the schools, a path totally blocked by the court judgement, and if I may say so, quite out of keeping with both the resolution passed by this House and the views of such education organizations as the Ontario Public School Trustees' Association and the Ontario Teachers' Federation.

This is of course a delicate but inescapable issue. The last things needed are a ministerial grand plan or ministerial timidity.

A large coalition of major faith groups in Ontario has recommended a pilot project approach, involving selected communities, that would address the elements of religious experience and phenomena and their expression and impact on personal and social life. I am again sending the minister a model program widely used in Britain. He has known about this for some time. When is he going to act?

DEMOCRACY IN UKRAINE

Mr Jackson: It is with great pleasure that I rise today to acknowledge and warmly welcome my guests in the Legislature this afternoon, Ihor Hryniw and Orest Shott, newly elected members of the Parliament of Ukraine, who join us today to observe at first hand our democratic traditions and government institutions.

Ukraine experienced its first taste of democracy in over half a century with free elections that were held earlier this year. New Ukrainian political parties, most notably among them Rukh, or the Movement, arose to articulate the desire of the Ukrainian people for social, cultural and political change.

The parties of the Ukrainian democratic bloc succeeded in having many of their members elected to regional councils and to the national Parliament of Ukraine in Kiev, where they are actively participating in and promoting the unfolding process of economic and political restructuring in their nation.

As a member of the provincial Parliament and as a Canadian with deep cultural roots in the Ukrainian community, it is with heartfelt joy that I greet Ihor and Orest and wish them and the Ukrainian democratic bloc much continued success in their endeavours to realize the historic dream of all Ukrainians, a free and independent homeland.

[Remarks in Ukrainian]

BELL CENTENNIAL

Mr Neumann: In 1974 Brantford celebrated the centennial of the invention of the telephone by Alexander Graham Bell. That summer many colourful events were planned as a tribute to the Bell centennial. Some have had a lasting effect upon our community.

The International Villages Festival, developed to celebrate Brantford's cultural diversity, is now in its 16th year. This year 12 villages will participate in the festival, which runs from 7 July to 14 July. I invite members to join with me and enjoy the entertainment, food and fun which is all a part of the International Villages Festival.

Earlier this week the name and logo for Icomm was unveiled in our community. Scheduled to open in Brantford in 1991, Icomm, the Interactive Communications Complex, will demonstrate the impact of communications technology on our daily lives. Visitors to Icomm will use personal interactive cards to experience exhibits on medicine, transportation, telecommunications and much more.

The idea for this exciting project also came about in 1974 during the Bell centennial. Funded by all three levels of government and a number of leading firms involved in Canada's proud telecommunications industry, Icomm will be a major Ontario tourist attraction and an international focal point for modern communications technology.

Sixteen years after it celebrated the Bell centennial, Brantford is still receiving dividends from the ideas generated to celebrate this special date in our history.

STATEMENTS BY THE MINISTRY

DECENTRALIZATION OF GOVERNMENT OPERATIONS

Hon Mr Ward: I would like to elaborate today on a commitment given by my colleague the Treasurer in his April budget regarding the decentralization of government jobs and the relocation of government offices.

As members will know, Ontario has already undertaken with great success some of the largest and most complex redeployments of government operations in Canada's history. Last month, for example, we announced that 740 general headquarters positions with the Ontario Provincial Police will be transferred from Toronto to Orillia. Currently, we are conducting the transfer of the head office of the Ministry of Agriculture and Food to the city of Guelph.

Over the last four years we have been implementing an extensive program of decentralization to northern centres with the northern Ontario relocation program. By the end of 1991 the northern Ontario moves alone will see 1,600 provincial government jobs transferred to five northern communities. Three new buildings are scheduled to open later this year and 500 positions have already relocated in advance moves.

Underlying the budget's commitment to a continued program of decentralization is a commitment by our government to foster economic renewal and development in our province's communities. We believe that a more equitable distribution of government jobs across our province can assist greatly in stabilizing, diversifying and strengthening local and regional economies.

In an ongoing process of evaluation, we assess government organizations to determine their appropriateness for relocation and analyse areas which stand to benefit from such moves. We look for areas where relocation could serve as a catalyst for redevelopment and renewal, a pattern which has emerged with dramatic success in northern relocation communities. We look for areas which have a relatively low proportion of government jobs to total population, and we consider the extent to which the local and regional economy may benefit by diversification.

I am pleased to announce today the first in a new series of decentralizations, as promised by our government. Three Ontario municipalities will be the first to take part in these relocations. The Ministry of Labour, comprising 425 government jobs, will move to the city of Windsor. The Ministry of Tourism and Recreation, comprising 400 government jobs, will move to the city of Niagara Falls. In addition, the Ontario Heritage

Foundation in the Ministry of Culture and Communications, comprising 60 jobs, will move to the town of Renfrew.

We expect to begin the construction of new Ontario government buildings in downtown Windsor and downtown Niagara Falls by 1993 and we will establish appropriate accommodations in the town of Renfrew by 1992. The nearly 900 positions involved in these decentralizations represent an approximate annual payroll of more than \$32 million. We anticipate that the relocations I am announcing today will be completed within a five-year time line.

This afternoon, in the communities I have named, the ministers responsible for the relocating services are making local announcements.

1350

It is my expectation that these relocations will prove to be an outstanding catalyst to economic development in the communities involved and in the surrounding regions. We estimate that each relocating job generates roughly two to three times its annual salary in regional economic activity. That represents a spinoff effect approaching nearly \$100 million in Windsor, Niagara Falls and Renfrew. These communities can anticipate additional economic benefits through the construction of facilities to accommodate the relocating jobs and ongoing benefits as our relocated organizations buy goods and services locally.

Our government regards decentralization as an effective way to share the social and economic benefits of the administration of provincial programs. Relocating government offices and jobs throughout our province distributes employment more equitably and helps provide stability and diversification in today's climate of rapidly changing economic conditions. It is our hope that as we demonstrate our commitment to these communities, as we have today in Windsor, Niagara Falls and Renfrew, we will make them that much more attractive to the private sector.

These relocations, along with last month's announcement regarding the OPP, are the beginning of the fulfilment of a commitment made in the budget in April. They are also an essential part of our commitment to bring the government of Ontario closer, in a very tangible way, to more of the people it represents.

INTERNATIONAL TRADE

Hon Mr Kwinter: On behalf of the government of Ontario, I am pleased to report the results of our conference, Interregion '90, which concluded yesterday.

With this conference, we have taken a major step forward and launched a new era of business, cultural and educational ties between Ontario and the regions of Europe. I am pleased to announce that with the Premier's signing of the declaration of partnership at the final Interregion '90 meeting, Ontario has now become the first region outside of Europe to formally establish relations with the Four Motors association.

When it comes to Europe 1992, Ontario has no choice: We cannot sit out a game worth \$6 trillion. That is how big the single European market will be. I am sure we all know the other figures by now: a market of 324 million consumers; an increase in output of 5%; and, most important of all for a trading nation like Canada, a rise in imports by as much as 7%.

Yet, while the European Community is Ontario's most important market after the United States, only 8% of our exports go there. The record also shows that the pace of investment by Canadian firms in Europe has been growing nowhere near as

fast as investment by the Americans, the Japanese and others. We must also continue to alert Europeans to Ontario's strategic location as a gateway to the United States for investment and trade.

It is our judgement that international economic relations have become much more complex than the mere shipment of finished goods from producers in one country to consumers of another country. Today, trade is intertwined with investment, research and technology development, communications and access to highly educated workforces.

It is for these reasons that over the past three years the government of Ontario has been forging new links with four key industrial European regions: Baden-Württemberg, centred in Stuttgart, West Germany; Rhône-Alpes, centred in Lyons, France; Lombardy, centred in Milan, Italy, and Catalonia, centred in Barcelona, Spain.

The declaration signed by the Premier is a working document that identifies the key areas in which each of the five jurisdictions can help businesses and other organizations form their own links and connections.

Much was accomplished in our three days of meetings, including the signing of the declaration. At the working level, worthwhile contacts were made between Ontario business, cultural, environmental and educational leaders and the almost 100 delegates who accompanied the four government leaders to Toronto.

Most important of all, real initiatives were undertaken. For example, discussions between Lombardy region and the Manufacturing Research Corp of Ontario resulted in an agreement to further pursue the development of a technological exchange in the electronics and automated manufacturing sector. A similar arrangement has already been made with Baden-Württemberg.

Highlights include:

The regions will work together to establish a new international business program. A mutually recognized common program of studies, including courses in two or three languages, would be taught in specific universities and business schools in each region. Students would rotate between these institutions as they completed their studies.

The five regions also agreed to develop student exchange programs at the university level for full academic credit. Ontario's rich multicultural roots mean that there is a sizeable potential pool of qualified students to participate in this project.

Ontario and its European partners also agreed to a wide variety of other activities aimed at strengthening academic and research ties between Ontario post-secondary institutions and their counterparts in Europe.

The Four Motors and Ontario will co-operate in the development of a telecommunications system known as Telepresence which will combine sight, sound and text editing in a single workstation so that long-distance conferences can be held between offices. Through two of our centres of excellence, Ontario will play a lead role in this project.

An interregional business centre will be established in Toronto next year to facilitate joint ventures and technology transfers between Ontario companies and European firms.

Ontario will host a conference involving the five regions next year. It will focus on the use of high technology and the creation and management of cultural products. Ontario firms have an excellent reputation in this area and the conference will include an exhibition to provide opportunities for trade and joint venturing activities.

The University of Waterloo will participate in a separate \$440,000 joint project with Carlsruhe University in Baden-Württemberg to investigate high-speed local area networking.

As well as business, education and culture, the environment is another key area targeted for co-operation. As a result of Interregion '90, Ontario will become a signatory to an environmental charter which will provide a framework for co-operation among the Four Motors and Ontario on environmental concerns and priorities. We will be attending regular meetings on environmental issues.

I look forward to keeping the members fully informed of our activities over the months to come.

CHILD AND FAMILY SERVICES

SERVICES À L'ENFANCE ET À LA FAMILLE

Hon Mr Beer: Later today I will present for first reading in this House the Child and Family Services Act amending bill.

As members know, the Child and Family Services Act, which was proclaimed in 1985, drew together many separate acts concerning children's services into a single piece of legislation. My ministry has continued to review the legislation as we work to develop a social service system in Ontario that is truly responsive to the needs of children and young people. In 1987 sections relating to adoption disclosure were amended and in 1988 provisions were added relating to runaway children, secure treatment and the handling of records.

Changes proposed in today's amending bill will clarify the original intent of the act and close unintended gaps in the legislation. Some of the changes would make the act more consistent with the principles expressed in the Freedom of Information and Protection of Privacy Act.

Mon Ministère a continué son examen de la Loi sur les services à l'enfance et à la famille dans le cadre de nos travaux, visant à mettre au point un système de services sociaux qui répondent effectivement aux besoins des enfants et des jeunes gens de l'Ontario.

En 1987, nous avons modifié les articles relatifs à la divulgation des renseignements sur l'adoption, et en 1988 certaines dispositions avaient été ajoutées en ce qui a trait aux jeunes qui font des fugues, aux traitements en milieu fermé et aux procédures relatives aux archives.

Les modifications que nous proposons dans le projet modificateur d'aujourd'hui devrait éclaircir l'intention originale de la Loi, tout en comblant les lacunes qui affectaient encore le texte. Certaines de ces modifications visent à uniformiser la Loi pour qu'elle soit conforme aux principes énoncés dans la Loi de 1987 sur l'accès à l'information et la protection de la vie privée.

The proposed changes are numerous and affect most parts of the act. I would like to mention a few of the areas where change is proposed.

First, at present the act provides for certain cultural considerations and preferred placement practices to be taken into account in respect of Indian and native people. The proposed change here will apply the same cultural considerations to other aboriginal groups, which will ensure the inclusion of Inuit and Metis people. The amendments would also clarify that services to Indian and other aboriginal children and families are to be provided in a manner that recognizes their culture, heritage, language and traditions and the concept of the extended family.

Second, with regard to adoption, the existing provisions of the act require that birth parents be given the opportunity to seek counselling in respect of matters relating to adoption. The amendments will ensure that such counselling is provided and

that it is provided by a person approved by the minister. In private adoptions, counselling will be provided by a person independent of the licensee arranging the adoption.

1400

It is proposed that the age for obtaining a child's consent to adoption should be raised from seven years to 12 years as a more realistic age to give a meaningful consent. The courts are required to consider the wishes of children younger than 12.

Still regarding adoption, the Vital Statistics Act is amended to provide that birth registrations of adopted persons will acknowledge the adoption. Currently adoptions appear as new registrations that show the adoptive parents as birth parents.

Third, the act provides criteria and procedures with respect to the use of extraordinary measures. We propose to restructure the relevant sections so that a more rigorous approval and review process will apply to the use of secure isolation. Secure, or locked, isolation is currently provided for in the act and is used only in emergencies for children who may be in danger of harming others. Review teams will now be responsible for monitoring the use of secure isolation.

Fourth, in order to be consistent with the principles of the Freedom of Information and Protection of Privacy Act, we propose to amend part VIII of the CFSA, which relates to the confidentiality of records. These proposed amendments include new requirements for the collection and disclosure of information.

Finally, the act will be amended to clarify that persons who are temporarily responsible for the care of a child, for example, teachers and babysitters, may be charged with abuse under the CFSA and may be registered in the child abuse register. Similarly, it will be made clear that any person with professional or official duties may be charged if he or she fails to report suspected abuse.

The changes I have outlined have been the subject of much consultation over a long period of time involving the individuals and organizations they affect. In general, they have been widely supported.

I would urge all members to support these amendments to the Child and Family Services Act. We will continue to review the legislation and to bring forward whatever amendments may be necessary to protect the best interests of the child.

Hon Mr Ward: Mr Speaker, I wonder if at this point I could seek unanimous consent. We have two more statements. Could we have consent to complete those and move the opposition response time up to seven minutes each?

The Speaker: Is there unanimous consent?

Agreed to.

AGRICORP

Hon Mr Ramsay: Later today I will be introducing the Agricorp Act. The purpose of this legislation is to create a new crown agency to administer the government's crop insurance and income stabilization programs. The Crop Insurance Act, Ontario, and the Farm Income Stabilization Act will be revised to accommodate the creation of Agricorp.

The development of Agricorp is part of this government's continuing commitment to assist Ontario farmers in meeting today's economic challenges. We are proposing that Agricorp would be an administratively independent agency with its own board of directors that would report directly to the Minister of Agriculture and Food. There would be a clear division of responsibility between the agency and the ministry. The

agency's board of directors would be responsible for operations and the minister would continue to be responsible for policy development.

Agricorp will have a board of directors selected to reflect producers' concerns regarding the effective delivery of safety net programs to the agricultural sector. In Canadian agriculture, a safety net is an open and predictable system of providing risk protection to participating farmers with financial participation from all groups. Agricorp would be set up in such a way that federal contributions for crop insurance will be maximized. The administrative framework would provide for funding specific to each program and for detailed calculations of administrative costs. Such an administrative structure would also ensure future benefits. As the ministry works towards developing comprehensive long-term risk management strategies for producers, Agricorp will be capable of administering other safety net programs.

The ministry will shortly be establishing an advisory group of farmers to assist in the development of the operating procedures of the board of directors.

I would also like to assure members that the welfare of employees who administer the programs is an important consideration in the development of Agricorp.

CHARITABLE GAMING

JEUX DE BIENFAISANCE

Hon Mr Sorbara: Later today I will be introducing for first reading the Gaming Services Act, which will regulate suppliers of services and premises for charitable gaming activity in Ontario for the very first time.

This legislation represents a major element of the government's new framework to administer the conduct of charitable gaming in the province. It follows an extensive review of the sector conducted over the past year in full consultation with all interested parties.

Outre ce projet de loi, nous préparons en ce moment un nouveau cadre réglementaire régissant la délivrance de permis, la gestion et les normes relatives aux jeux de bienfaisance. Ce projet se poursuit en consultations avec des groupements d'intérêt et des particuliers et devrait se conclure au cours de l'été.

The unprecedented growth of charitable gaming in recent years—gross wagering for bingo, for example, in Ontario currently amounts to about \$600 million annually and the province has more than 240 bingo halls—has raised a number of concerns related to the adequacy and effectiveness of the existing regulatory framework.

The most serious evidence of this is that many charitable organizations have increasingly lost control over the conduct and management of gaming events which are designed to raise funds for them. This has resulted in declining revenues directed to worthwhile charities which are the intended beneficiaries. Through the legislation and other initiatives, it is the government's intention to restore control of charitable gaming to the appropriate charitable groups; in short, to put them back in the driver's seat.

The proposed Gaming Services Act will provide, for example, for the regulation of gaming halls, suppliers and employees, the appointment of a director and registrar of gaming services, record-keeping and reporting requirements that will facilitate our auditing and the setting of effective measures to ensure compliance with the law.

In an associated initiative, the contents of the three existing orders in council under which we have had licensed charitable gaming since 1970 will be consolidated and will more clearly outline the new rules for licensing charities and conducting gaming events.

At present we are consulting with charitable, municipal and commercial representatives, and following these discussions over the summer, new regulations will be introduced to address a wide range of implementation issues. These are expected to be ready by the fall.

Dans le cadre de nos consultations ainsi que de notre projet de loi et de réglementations, nous avons pris la démarche actuelle ; nous avons l'intention d'établir un conseil consultatif qui deviendrait source de conseils pour le gouvernement en ce qui concerne les jeux de bienfaisance. Les membres de cet organisme compteraient parmi eux les représentants de jeux de bienfaisance ainsi que les consommateurs et les représentants du secteur commercial.

The legislation which we will be introducing today will recognize and define for the first time the role commercial suppliers and operators play in helping raise charitable funds through gaming. The act will recognize and exempt occasional-use facilities—and I think of my friend the member for Guelph when I say this—such as senior citizens' homes, from these licensing requirements.

Members may recall that last August the government placed a moratorium on the establishment of new commercial facilities. This was a temporary measure until appropriate legislation regulating the commercial sector is in place. The moratorium will remain in place pending the result of our proposed legislative action.

We believe that this legislation will serve as the cornerstone of the appropriate regulation of the charitable gaming suppliers, as well as modernizing the rules relating to charitable gaming. Once the act is passed and the new regulations have been implemented, we will have in Ontario a very solid foundation for the administration and control of charitable gaming. I urge that all members support this legislation when I introduce it later today.

RESPONSES

DECENTRALIZATION OF GOVERNMENT OPERATIONS

Mr B. Rae: I am just on my feet to say that I know the member for Windsor-Riverside is far too self-effacing a person to say what needs to be said on his own behalf, but I want to say that no one has fought harder than the member for Windsor-Riverside on behalf of the citizens of Windsor to ensure that they got their fair share of jobs and finally shamed this government into taking some action.

Mr D. S. Cooke: My leader has convinced me that I should say a couple of things. First of all, I want to congratulate the government for finally coming along on more decentralization and moving towards some fairness for Windsor.

I should remind members that just up the road in London there are 3,863 provincial civil service jobs. Even with these new jobs in Windsor, we will only have 1,310. We are getting there, but we have got a long way to go. I am sure this will only be the first instalment. This is the Save Bill Wrye instalment. Tomorrow will be the Save Mike Ray instalment.

1410

I hope there is no expectation by this government that this in fact is the adjustment program for the 3,000 jobs that have been lost so far this year in the manufacturing sector. The community of Windsor is going through an enormous economic adjustment. We are leading the way, unfortunately, in that economic adjustment, adjusting to the free trade agreement. While this will help our community adjust, we still need the package of other public sector involvement and investment in our community and we still need a joint program with the private sector to create more industrial jobs and manufacturing jobs if we are to avoid the catastrophe that we are heading to right now.

I want to remind members that it has now been about four years, since I started working on this, of gathering the statistics and bringing the matter to our city council and our mayor. I might also point out that each step of the way the member for Windsor-Sandwich continued to say, until three months ago, that it was impossible, it could not happen. The only people who were pushing for this were city council and myself. If I have accomplished nothing else in my 13 years as an MPP, this is a major accomplishment for my community. I am proud of it.

CHILD AND FAMILY SERVICES

Mr Allen: I do not know why it is when we come to amendments of the Child and Family Services Act that we take a couple of steps forward and a couple of steps back. That is the way it was with respect to the 1988 amendments, which we had some problems with in this party, and that is the way it is with the amendments being tabled today by the minister. We will be looking at them, of course, in more detail later.

Needless to say we are incredibly happy with the expansion of the definition of who has access as aboriginal peoples to social services. The broader definition provides for greater sensitivity than did the original application of the preferred placement principle. That is a very good advance as far as we are concerned.

As for rigorous approval and review of processes relating to secure isolation of young offenders and children at risk, yes, we want that now. We wanted it in the past and it is time we had it. With respect to the counselling provisions around adoption, yes, very good. We have very mixed feelings about the minister's proposals with respect to the child abuse register, charging those who are teachers and baby-sitters and those in temporary custody, not so much in itself but because the whole process needs a complete review. That is what should be being undertaken at the moment.

When we come to the question of raising the age of consent for adoption and placement from seven years to 12, we believe that children who are at least able to testify in court under circumstances relating to such matters as child abuse should have the right at that age to say where they do not want to go when it comes to adoption. We will fight that particular provision very strongly.

We look forward to debating these issues, supporting the ones we can and certainly fighting hard against those we oppose.

AGRICORP

Mr Wildman: I would like to respond to the announcement of the Agricornp Act. In making this announcement to set up this new crown agency, I hope we would have some assurance that the provincial government is actually going to

move to do something about the inadequacies of the current crop insurance program; to deal with the proposals, for instance, for spot coverage of one farm as opposed to another farm if they have the same owner and dealing with the average crop yields and the questions of percentage coverage, so that we can do something to ensure that more and more of the agricultural producers actually participate in the plan and make it a sound plan. If this new crown agency is going to move to do that, it will be worth while. If in fact it is simply an attempt to have another bureaucratic setup where more and more people will get jobs, appointed to boards for part-time paybacks for political favours, then it will not be of much good, if anything.

CHILD AND FAMILY SERVICES

Mr R. F. Johnston: As I leave this place and see these amendments to the Child and Family Services Act, I tell members it scares the dickens out of me. There are some good things in here, but when I see the paternalistic claptrap we have got, such as to suggest that a child has to wait till the age of 12 to be able to say whether or not he will consent to being adopted by somebody for the rest of his life, to go and live with that family, I say something is wrong with this Liberal Party.

We worked hard and long from 1982 through 1984 to make sure that it was understood that a 10-year-old child knows his or her rights, knows who he or she feels comfortable with and that even a seven-year-old child, or sometimes even younger, knows his or her will very well. To suggest that the paternalistic court system can impose that on those children by the minister's fiat, when even Frank Drea agreed with us in those days, is something the minister should think long and hard about. That is a horrible, horrible change he is suggesting and he should withdraw that. I just worry about what else he has hidden in there when this kind of tradeoff for some of the other positive things is part of his announcement today.

DECENTRALIZATION OF GOVERNMENT SERVICES

Mr J. M. Johnson: In view of the absence of the Minister of Government Services, I would like to congratulate the Premier on his policy of decentralization of government agencies. I am sure 60 jobs in the town of Renfrew will be appreciated by some members. It is an excellent policy, which was initiated by the former Progressive Conservative government, and I am glad the Premier has carried it on. But much more needs to be done than simply relocating a few government ministries. With 90,000 civil servants, 900 is really a drop in the bucket.

I would like to address this to the Minister of Industry, Trade and Technology, if he would pay attention for a minute. I have been very concerned that there is less industrial development in rural Ontario, and I feel it is the responsibility of his ministry to encourage industry to at least look at locating in some of the smaller communities that have financial viability problems. The minister should follow the example of Germany and France after the last war and encourage industry to locate in the smaller communities rather than being centralized in the major cities. Most of our growth is in the Toronto area and certainly in areas like Mississauga and not enough in the rural parts of the province. The minister should follow the example set by his Premier and encourage industry to follow the lead of the government relocation proposals.

AGRICORP

Mr Villeneuve: I sincerely hope that Agricorp will work. Crop insurance and income stabilization have not worked well for many sectors of agriculture. I know the minister knows that. I hope the new Agricorp will bear in mind countervailing and GATT decisions. I think it is most important at the outset that we ensure the support we give agriculture—and God knows it needs support—will not be countervailable and will certainly not be against the rules of the GATT.

CHILD AND FAMILY SERVICES

Mrs Cunningham: In responding to the changes to the Child and Family Services Act, I would like to advise the minister that we certainly support the initiatives he has taken with regard to the first part, and that is the considerations for cultural change for the Indian native people. We think it is long overdue and commend him for that change.

I am very concerned with regard to the raising of the age of consent and will look forward to those kinds of discussions during public hearings of this proposed legislation. We are very much in support of the more rigorous approval and review process that will apply to the use of secure isolation, and I know that people who are working in the field will very much appreciate that clarification.

With regard to the confidentiality of records and the proposed amendments, of course we are very supportive of the concern around requirements for the collection and disposal of information. I would urge the minister to share that kind of guideline with the Minister of Health around the new health cards, where there is a great deal of concern by the public.

The child abuse register should be looked at not only in light of changes to this legislation but with regard to access to the child abuse register by people working in education and other children's services so that they can in fact get those names. We have asked for that for some time. We have also asked that the minister take a look at how people get their names off the child abuse register at certain times, so there are certainly other issues.

I will just close by saying that there is no province-wide legislation or program that ensures access to children's mental health treatment, either through the Child and Family Services Act or the Young Offenders Act, and I would urge the minister to take a look at whatever he can do for the co-ordination and integration of services.

1420

INTERNATIONAL TRADE

Mr Sterling: I would like to respond to the statement by the Minister of Industry, Trade and Technology this morning. I find it passing strange that on page 2 he says, "We must also continue to alert Europeans to Ontario's strategic location as a gateway to the US for investment and trade."

Is this not the government that opposed free trade? Is this not the government that stood alone in this province and was going to sue the federal government and stop the deal with the United States? Now we find that they are trumpeting free trade, they are trumpeting the initiatives of our federal government.

It is about time. This government has been a government of reaction and reactive nature with regard to trade with our American counterparts. It is about time they took a proactive approach. A proactive approach is interesting. Deals and agreements with other industrial nations are important.

But I want to remind members that this government has increased corporate taxes, this government has increased personal income taxes, this government has implemented new employer payroll taxes, this government has implemented more regulation around business than any other government in Canada and this government is the highest-spending government in North America. This has led to the loss of 82,000 manufacturing jobs in this province in this year. We applaud any attempt to try to reverse this tragic decline in our economic forecast in the future.

CHARITABLE GAMING

Mr Jackson: I would like to comment on the announcement by the Minister of Consumer and Commercial Relations of his introduction of the new Gaming Services Act. We have waited five years for this bill. We are pleased that it has finally come forward. I want to indicate that although groups have been cut off, many people feel arbitrarily, and some even between communities, there have been a lot of problems identified.

Having as few as 10 employees in this ministry supervising and interpreting a program of almost \$1 billion in revenue, obviously the minister has had difficulties in convincing cabinet of the importance of this important sector. But I want him to accept the compliment for his staff for the work they have been doing for the last couple of years under these adverse circumstances. We would, of course, like this bill to go to committee.

Hon Mr Elston: Mr Speaker—

Mr Breagh: Are you resigning?

Hon Mr Elston: No, I am not doing anything in that sense.

Mr Speaker, I was just asked if I was going to do something special. I am. I am going to ask if we could have unanimous consent to pay tribute to the member for Waterloo North, who has announced that he will not be seeking re-election whenever the election is called.

The Speaker: Do we have unanimous consent?

Agreed to.

MEMBER FOR WATERLOO NORTH

Hon Mr Elston: It is a pleasure to rise and pay tribute to Herb Epp, who has been in this House since 1977 and who has garnered over those years a large number of friends with his sense of duty and his commitment to the people of Waterloo North over the years.

I have had the pleasure of serving with him on a number of committees. In fact, when I first came into the Legislative Assembly in 1981, Herb and I shared an interest in municipal affairs and otherwise. He was the critic in those days for the Liberal Party, in what are described now as pre-government training days for those of us over here.

Herb has developed a sense of the political which has been very helpful to all of us as we have developed our acumen with respect to politics. He has been able to do a great number of things for the people of Waterloo and in fact performs at a very high level today because of his very good community commitment that he developed over his years prior to politics.

He was a teacher for some 16 years, I am told, and so has a large following in that, which parallels, in a sense, the senior member of our caucus, who also had a brush with teaching responsibilities in those early days. The parallel does not just stop there. In fact, the member for Waterloo North was an assis-

tant in the campaign for leadership of one Robert Nixon in about 1964 and made himself available, I think, over the entire course of that drive towards leadership.

Herb has been a great supporter of the Liberal Party and in fact has assisted many of us as we have seen ourselves move from opposition days to government. It is because of his dedication in serving in years when it was not maybe just as easy to be a Liberal that we have prospered here in a political way in this Liberal Party. It is because of Herb Epp that we have been able to prosecute some of the progressive policies forward that we have been able to.

I would like to just say that we will miss Herb Epp. I will miss him because he is a friend of mine and has been a person with whom I could share a good time when we had a chance to sit back in the standing committee on administration of justice and talk about the day's events, or whether it was just sitting around as we did in serving on the various Liberal opposition committees that toured the province preparing the way for transition to better days for the people of Ontario.

Herb Epp has played an important part in that transition. Herb Epp has played an important part and role in making things better for the folks of Waterloo North. One would never find a more dedicated constituency person, in my view.

We will miss Herb Epp in the caucus. It is my pleasure today to rise to give thanks to Herb, from our perspective, for his long days of service. We wish him every success in the future, which I know he will find.

Mr B. Rae: On behalf of the members of the official opposition, I am at the same time saddened and also very happy to be able to participate in this event. I am saddened because it is always a bit of a loss when someone who is liked and respected by all members of the House decides it is time to go on to a saner, more rational and more sensible life.

On behalf of the inmates who are left behind, I wish you well, though I think anyone who has been in this place for more than 15 seconds can certainly understand the reasons which led you to make your decision.

I can just say personally that when I arrived here in 1982 the member for Waterloo North and I were both in opposition. He was always someone who was kind, thoughtful, always willing to share a quip, a joke, a thought in the members' lounge behind here and somebody who has earned the respect of a great many people who were not members of his caucus. I know I speak on behalf of members of the Conservative Party too, who I know will be speaking as well, when I say this to the member.

Together with my colleague the member for Oshawa, the member for Waterloo North has probably done more than any other member to begin to draw some attention to the state of this building. While this is of parochial interest to us, I think he is to be congratulated for the energies and the efforts which he has made in trying to get on with the important work of renovating and restoring this magnificent part of Ontario's heritage.

I hope very much that the member will keep in touch with that work and that project, and I am sure there will be ways for that to happen. Indeed, perhaps one day, even with a different government, the work might even be completed.

Herb Epp goes with our best wishes. We know he is at a time in his life when a new career is something that he can contemplate with interest and with excitement. With that sense of change, with the sense of opportunity for him, we on this side wish him all the very best.

Mr Brandt: I rise as well with a note of sadness and reluctance at the announcement of my colleague and friend the member for Waterloo North on his decision to leave this chamber.

My friendship and association with Herb Epp, if I may use his name one final time in the House, goes back a long number of years. Herb and I were involved with the mayors of southwestern Ontario back in the mid-1970s. I can recall, during our saner moments in politics at the municipal level when you really do get some things done for the people, that the mayor of Waterloo and I put together a number of programs in which we were attempting to bring some sense of balance to the programs of the provincial government, which was another particular governing party at that particular time.

Little did we know, the member for Waterloo North and I, that the situation was going to deteriorate as rapidly as it has relative to transfer grants and municipal responsibilities and problems, as has been the case during the course of the past—I am not going to get partisan on this occasion, other than to say that I know the member for Waterloo North has sensed that some of the frustration he and I shared back some decade and a half ago has become even more serious today.

One of the strange things that happens when you have a friendship and an association with another politician from another part of the province is that, back in the latter part of the 1970s when I was serving as mayor of a community and the member for Waterloo North was in need of some assistance to raise some money, I can recall that I was involved, along with the Treasurer, in a fund-raising evening for the member for Waterloo North.

I know it is very difficult for some people who are perhaps listening to us today to understand that here I am in the Conservative Party helping a member of the Liberal Party raise money. But I did not know at that time that I would get elected in 1981. Heaven knows I tried in 1977, and although my memory is perhaps a little bit murky with respect to the details of that particular occasion, as I recall and as I look at the history of that particular moment in time, I lost that election. The member for Waterloo North was successful and went on to serve the province, and certainly his community, extremely well.

The member for Waterloo North, we all know, has had extensive experience as a teacher, an alderman, a mayor, arriving here in 1977 to serve in opposition. He was very effective in opposition. As a matter of fact, I liked him far better when he was in opposition. I could always look across at the member for Waterloo North and I knew that he was going to ask sensible questions of the government of the day and that he was going to research those questions well and prepare them in such a way that they would have a meaningful impact on the government.

As the member knows, the questions were answered, quite unlike the situation that we have today, an entirely different circumstance. How times have changed. We actually used to have a question and answer period, and the member for Waterloo North was a magnificent contributor to that particular hour that we spent here on each and every occasion.

I say in all seriousness that I think one of the things our party supported unanimously that was brought forward by the member for Waterloo North was the protection of private property rights. It is fundamental, we believe, to our system of government; it is fundamental to the philosophy of our party. I was pleased to see the member for Waterloo North bring that particular legislation forward, because I feel it is a legacy that he leaves to the people of Ontario which is extremely impor-

tant, if not in fact critical in many respects. I applaud him for that move and of course we supported him in that particular endeavour.

In closing, let me just say that the member for Waterloo North has had a distinguished career. I think when he leaves this place he knows full well that he has made an impact on his own community and on the people of Ontario. He leaves with our best wishes, and on behalf of our party, we say to a friend and a colleague and a warrior of the first order politically, one we respect, Godspeed and the very best of luck.

Mr Epp: I just want to say very briefly how much I appreciate the good wishes that have been extended by my three colleagues, the member for Bruce, the member for York South and the member for Sarnia. I must say that all of them are very responsible people. They take their responsibilities very seriously but they do not take themselves very seriously. I think that is an important trait that all of us should have but all of us do not.

I am particularly interested in the comments that all of them made. I know the member for Bruce used certain comments and brought out some of the dry humour that I like him for and that he has used on all of us over the years. I want to thank the member for Sarnia for reflecting back on the late 1970s when he came to my fund-raiser. What he did not say was that he was quite ill. He had a high temperature and, despite that fact, he still came to my fund-raiser and helped raise money for me to proceed in politics. I must say that I kind of repaid him partly for that the other day when I went to his roast. I did not have a chance to speak, but I paid \$59.95 to go to that roast and have a very nice dinner and help roast him and participate together with the other 799 people in that room.

I appreciate the fact that the leader of the official opposition has referred to restoration that I am involved in, co-chairing a committee together with the Speaker. I think we are making progress on that. I am very proud of the progress that we have made to date and that will be made in the future. Obviously I will not be able to be part of that in the same sense, but nevertheless I will keep very close tabs on it.

After 13 years, I have a lot of good memories of this place. I remember some of the great orators who were here. I think the greatest orator I have heard in this particular chamber was a former leader of the NDP, Stephen Lewis, who went on to the United Nations and is still speaking very effectively across the country. That is not taking anything away from all the other people who have spoken here, but I particularly remember the day when he made his last speech in here. Both the lower and the upper galleries were filled. It was a very important day, but it was one of the great speeches I think we have heard in this chamber.

I think one of the things we miss these days is—I do not know whether it is the rules or what it is—but I do not think we quite have the opportunity to have those speeches the way we did a few years ago. One of the other things I do not think we miss is some of the evening sessions and some of the debates that went on at that time.

I want to thank the people of Waterloo North who have elected and re-elected me on four occasions to this august chamber. The riding of Waterloo North, as all or many of the members know, is made up of the city of Waterloo and two townships, Woolwich and Wellesley. I think it is a very unique riding. As the Minister of Industry, Trade and Technology indicated earlier, we have the University of Waterloo there, together with a number of high-tech industries.

The other part of that riding is a group of people who came there back in the late 18th century and the 19th century, referred to as the Mennonites. Some of them still run their farms and so forth without electricity; they ride on horse and buggies and live a very modest lifestyle. So we have the two extremes, but I think the two work very well together. I am very proud to have had the opportunity and still have the opportunity of representing the people of Waterloo North, who have been very supportive and helpful to me over the many years.

As I have indicated and as was indicated by other people, I have made a lot of friends in the chamber on both sides of the House. I thank members for those friendships. I appreciate the help they have given me over the years. I am now looking for other challenges. As indicated, I am going to do some teaching. One of the things I have always been interested in is property rights, as the former leader of the Conservatives has indicated. I think being in real estate will help me to endorse that. That is one of the things I want to do too.

I thank members again for their kind words, for their help and support over the years. I am sure I will miss this place. I will have a lot of fond memories and I do not think I will have any regrets in having served here for 13 years.

1440

LORNE BRADLEY

The Speaker: I would like to inform the House that I have just been informed that the Minister of the Environment's father has passed away, and I will, on your behalf, send our condolences to the member for St Catharines.

Mr B. Rae: I would just say to you, Mr Speaker, that I know all members will join with you in expressing our condolences to the Minister of the Environment and to the members of his family.

[Later]

Mr Harris: On behalf of my party, I too want to extend our condolences to the Minister of the Environment and to his family.

ORAL QUESTIONS

TAXATION

Mr B. Rae: I have a question for the Premier on the economic record of his government. Obviously, as we come to the final few days of the session, it gives us an opportunity to deal with some of the fundamentals of life for the citizens of this province.

Since 1985, the retail sales tax collected by the Liberal government has gone up by 65% per family. Personal income tax collected per family has gone up by 85%. At the same time, the rate of inflation has only gone up by 25%. So we see an incredible galloping inflation in the way in which this government has been collecting taxes.

I would like to ask the Premier if he can tell us how he feels about having reached a situation where the retail sales tax per family has gone up by 65%, the personal income tax per family has gone up by 85% and inflation has only gone up by 25%.

Hon Mr Peterson: I think the Treasurer will tell the honourable member about the outstanding record of this government.

The Speaker: Referred to the Treasurer.

Hon R. F. Nixon: I think the honourable member is aware that disposable income on average has gone up as well. When we took office five years ago, all was not in order in the fiscal position of Ontario. Our deficit was around \$3 billion and many programs had not been dealt with effectively for the previous decade. We had a deficit not only in dollars but a deficit in programs, and over these five years we have corrected those.

Our programs have been expanded; they have been made more sensitive and responsive, more effective. At the same time, on the basis of our fiscal policy, we have raised the funds to pay for them. At this point our programs, however inadequate the honourable member may think they are, are much better and better funded than they were, our books are balanced, we have a surplus and we are paying down the provincial debt.

Mr B. Rae: There is no magic in that. If you tax everything that moves and you knock people over the head hard enough with taxes, your revenues are going to increase substantially. There is no magic in that at all.

Mr R. F. Johnston: The Sheriff of Nottingham would have done the same.

Mr B. Rae: As my colleague the member for Scarborough West has said, the Sheriff of Nottingham would have done exactly the same thing and in fact did do the same thing.

Just to show how much the Treasurer has been robbing from the poor at the same time as he has been easy on the rich, the numbers again tell a terrifying story. In 1987, which is the latest year for which we have any statistics, 300,000 citizens of this province earning less than \$10,000 a year paid \$60 million to the Treasury in income tax. At the same time, 1,160 Ontarians who earned over \$50,000 did not contribute a single cent to the provincial Treasury in terms of personal income tax.

How can the Treasurer justify carrying on with a tax system in this province that continues to punish poor people and tax poor people at the same time as people who are in a position to pay are not paying anything?

Hon R. F. Nixon: I think the honourable member, if he were fair and equitable, would associate me more with Robin Hood, if I might put it that way.

He would be aware that since we took office, we have reduced or eliminated personal income tax for 625,000 tax filers who paid taxes under the Conservative regime and who still pay it under federal taxation. I think he would also be aware that our provincial tax reduction program announced in the most recent budget gives a special credit of \$200 per child for people at the low end of the income scale.

Now we come directly to taking from the rich, which includes the honourable Leader of the Opposition, and we have brought in a surtax on incomes which we believe provides the fairness and equity which the honourable member is looking for but cannot see, even though it has obviously been established.

Mr B. Rae: If the Treasurer objects to the Sheriff of Nottingham and insists on presenting himself as Robin Hood, perhaps we can compromise on Friar Tuck.

I would like to ask the Treasurer a simple question. Given the fact that with the GST, which he now said he is going to be adding on to, which will be a windfall of about \$2 billion to corporations—he knows that perfectly well because of the change which is taking place. He also knows that there are as many as 40,000 corporations in Ontario with profits of nearly \$13 billion which now pay no income tax to the province whatsoever.

I would like to ask the Treasurer if he could tell us why he would not implement a minimum corporation tax on income, a 1% drop in the retail sales tax to offset the impact of the GST on working families and tax elimination completely for the working poor. Why not adopt three very simple, straightforward tax measures that would end up with some tax justice for the people of the province?

Hon R. F. Nixon: The honourable member's questions are so repetitious that I even had an answer prepared here which is so good that I will not bother with it at this time. I do take offence that he would compare me to Friar Tuck just because I have a similar haircut. It does not seem appropriate.

The honourable member also knows that while we do not have a minimum corporation tax of the type that he would have if he were in office, God forbid, we do have a capital tax which all corporations pay except the smaller ones where there is so much job generation that this capital tax means a revenue of about \$300 million. I should really be checking that number and if we find that is wrong, I may correct it, but it is in that order.

We do not claim perfection as the New Democrats always have, but we feel that as Liberals we are striving for perfection. In this regard, the fairness and equity of our tax system has improved during our time. As a matter of fact, a percentage of the overall revenue paid by corporations is gradually increasing and the revenue we receive from individuals is gradually reducing. Obviously, we receive more from individuals than corporations and the honourable member would like that perhaps to be reversed.

I think he should also be aware of something that is obvious, that in order for corporations to expand and establish themselves effectively they have to have capital. The honourable Speaker is looking at me over his glasses, and that means that is enough of that for now.

Mr B. Rae: I just wish the rest of us could have the same effect on him that you do, Mr Speaker.

SEWAGE TREATMENT

Mr B. Rae: I have a question to the Premier. Again, looking at the review of the government's record in an area in which it takes great pride in talking about how much it has done, the Premier will know that when it comes to the control of the pollution of our water, the whole thrust of the government's program, the jewel in the crown of the government's achievements, is the so-called municipal-industrial strategy for abatement, the MISA program.

The controls on sewage treatment plants to deal with some of the simple basics of life were supposed to have been in place by November 1989 and there is as of now no projected date by which any of these controls will be in place. Not a date, not a sign, nothing in place whatsoever.

Can the Premier tell us why it would be that the mainstay program which he has trumpeted so loudly since 1986 and which he promised the people would be in place by November 1989 is not only not in place now, but there is absolutely no date projected by which it will be in place?

Hon Mr Peterson: I disagree with my honourable friend's analysis of the government's environmental program. I would say that there are many sparkling jewels in the tiara of accomplishment of this great government with respect to the environment. I think that has been recognized by the leading environmentalists fêting my colleague the Minister of the Environment as very clearly the leading environmentalist in any

government in North America today. I think any fairminded person across this province would acknowledge it.

The member talked about one program, but there are many other programs this government has been leading in, whether it is CFCs, acid rain or a variety of others. So I think my honourable friend is being very narrow, as usual, in his analysis of what has transpired and indeed the progress that is being made.

1450

Mr B. Rae: The last thing I want to do is be narrow or unfair. What I want to do is be accurate. I asked the Premier a question with respect to a program dealing with the pollution of water. Controlling the pollution of water is supposed to be a major foundation of this government's policy.

What we have here is a program which was announced with great fanfare back in 1986, four years ago this month. The controls on pollutants from eight sectors were supposed to start by June 1989, but they now are not projected to start until 1992. We are told that the controls on the petroleum sector were supposed to be in place again in June 1989; they will not be in place until 1991 at the very earliest.

Surely we are entitled to ask, if this is the centrepiece of the government's water pollution program, why is it not in place at the dates on which it was said it would be in place?

Hon Mr Peterson: Again, I disagree with my honourable friend's analysis of the overall environmental program. Let me just refresh my honourable colleague's memory with respect to these programs.

As the member knows, the environmental budget is up something like 128% over the last five years. He can look at the new initiatives that have been made in this government with respect to sewer and water corporations to bring the infusion of funds necessary to rebuild the infrastructure, to rebuild pipelines through the LifeLines program and so many others, and to make sure that we have an infrastructure that is keeping pace with the growth in this country.

The member is quite right about the MISA program. I think it is a program that is the leading edge, again, in this country. The regulations are being worked through in consultation with the public and a variety of other people to make sure that we have leading-edge technology in programs to control water pollution.

I cannot give my honourable friend the specific dates on the specific sectors. I know they are all working apace and I think my honourable friend, in fairness, would say it is an excellent program.

Mr B. Rae: It is not an excellent program because it is not in place, and it is not proceeding apace because it was supposed to have been accomplished last year and most of the program, the vast majority of it, is not in place.

The government has not met the zero discharge of toxic substances into the Great Lakes, which is the purpose of the Great Lakes agreement. It has not developed a comprehensive database with respect to poisons and toxins in industrial discharges. It has not set the effective effluent limits. It has not done any of the things which it set out to do in 1986 saying that this was going to be the route which would finally control water pollution in the province, the major program that it said was at the very centre of everything. Every time we ask a question in this House on the environment, the answer comes back "the MISA program." The MISA program is a bust and it is time the government recognized that.

Will the Premier finally admit that in fact the MISA program is a complete bust?

Hon Mr Peterson: No, absolutely not. The Leader of the Opposition is a complete bust. The MISA program is not a complete bust.

INTERPROVINCIAL TRADE

Mr Harris: My question is for the Premier regarding his meeting with the Premier of Quebec last night. I understand the Premier and Mr Bourassa discussed a number of economic and trade issues. I wonder if those issues included a discussion on interprovincial trade barriers that restrict Ontario companies from working in Quebec.

Hon Mr Peterson: Indeed, they did. As I know the member is aware, the ministers are meeting across the country, and the honourable minister can bring me up to date. There are meetings scheduled for, I think, the week after next, if my memory serves me correctly, on 13 July next, with any luck to make some progress with respect to the question of interprovincial trade barriers.

It is an issue that concerns me a great deal; I know it concerns my colleague opposite. We are a government that would like to remove all those interprovincial trade barriers. It has been a plaguing problem for a long period of time, but we think it is very much in the national interest to remove those.

Mr Harris: I am delighted that the Premier has been talking about those. It is the first we have heard of advancing a tremendous concern to Ontario's industries with other provinces, an area of concern that exists between our two provinces and is doing a lot of harm to Ontario's interests.

I wonder how the Premier would respond to Alfred Roger's Tree Service in Gloucester. They would like to know why Quebec seasonal contractors can operate freely in this province, while they cannot tender on Quebec contracts unless they get a special licence plate—\$590—and move their head office to Quebec. What do we say to this Ontario company with regard to interprovincial trade barriers at the same time as its competition from Quebec is operating freely in Ontario?

Hon Mr Peterson: This has been a problem for a long period of time, just like Quebecers came to me and said, "Bombardier won a contract in the province of Ontario and your government cancelled that." The member will recall that—I think Mr Miller was the Minister of Industry and Trade then—so we can see that this does build tensions back and forth.

I very much share the view of my colleague opposite. I think it would be very much in the national interest to get rid of interprovincial trade barriers. It is something that our minister has taken the lead on at endless meetings. It is not an easy one to accomplish. Certainly from our point of view it would be, but there are other problems besides Quebec.

I know my honourable friend would be mindful of the history and some of the involvement of his government in establishing Ontario barriers. We are trying to take those down, we are trying to take Quebec's down, we are trying to take them down right across the country to make sure that we operate in a free and open market.

Mr Harris: I think most businesses, all the way through to northern Ontario—

Hon Mr Fontaine: It's okay. Davis and your guys were the ones who wanted to change that.

The Speaker: Order.

Mr Harris: I realize the Minister of Northern Development wants to enter into the fray.

Companies along the Manitoba border and along the Quebec border, all the way through northern Ontario and the Ottawa region, have been telling us that the situation is not getting better, that in each and every one of the last five years the situation has got worse. Many Ontario companies and workers now have easier access to foreign countries than they do to some of our own provinces, including Quebec.

I would like to ask the Premier how he responds to the Ottawa-Carleton region, which has given up on this government and is now proposing the establishment of a free trade zone with Quebec in order to work around some of the barriers, and I wonder how he would respond to Don Cardill of Donwel Heating in Carleton, who was told by the Quebec government that if he wanted to sell his product, ground-source heat pumps, to Quebec customers, he would have to open an office in Quebec and maintain two staff members there, one of whom must be technical staff. What do we say to these companies that are increasingly telling us the situation is getting worse each and every year?

Hon Mr Peterson: We tell them it is quite wrong. I think I agree with the honourable member opposite. We faced the same problem in Nova Scotia, for example, historically, where offsets are insisted on and establishing local headquarters and that kind of thing, and other provinces as well.

I fundamentally disagree with that approach. I guess that leads my honourable friend opposite to stand up and say where he stands. Is he just trying to create more tension in this country at a very sensitive time or is he saying we should retaliate? I am very interested in his views on this matter.

This has gone on for some long period of time. It did not start yesterday, as I know he knows. I know he knows that he was part of the interprovincial trade barrier and some of the problems that were created in the past. We are trying to solve this problem. I reject the idea completely. I think my honourable friend wants to examine his own soul to find out if he is being constructive in this debate.

1500

Mr Harris: I have never heard the Premier be interested in anybody's views other than his own. I am surprised to hear him say that.

The Speaker: And the question is to which minister?

SOCIAL ASSISTANCE

Mr Harris: I have another question for the Premier. As we approach the end of this session, I thought it appropriate to review the government's record in developing medium- and long-range plans. I have a non-confidence motion this afternoon which I hope the majority in the House will support. It talks about the lack of long-range planning for our health care system, transportation system and so on.

But this afternoon I would like to ask the Premier about a very specific plan which the Liberals did have access to and which Conrad Black, the Leader of the Opposition and my caucus support. That plan is the Social Assistance Review Committee report. Can the Premier tell me why his government refuses to follow the very specific SARC plan to reform our welfare system in the province?

Hon Mr Peterson: I am immediately suspect of anything the member for Nipissing, the Leader of the Opposition and Conrad Black support, whatever the issue at hand.

Hon R. F. Nixon: That is a strange bunch in the bed.

Hon Mr Peterson: It really is a very strange bunch. I do not know whether my honourable friend is wearing his Liberal hat, his socialist hat or his Conservative hat. He is always standing in this House: "Don't spend any more. Don't tax more." It is very strange. My honourable friend has not sorted out his views on a lot of these subjects. But the former minister and the current minister have done more and are leading in welfare reform across this country.

Where the member could help us is, he could go to his friends in Ottawa, to Mr Mulroney, who tried to cut our Canada assistance plan payments, the general welfare assistance in this province, when we are leading in that regard. He could use the great influence he has with his very close friend Mr Mulroney and tell him to stop taking advantage of this, because we want to help with respect to the less advantaged in this country. We have been leading in all regards. We have been cut off by them and now the court says what they have done is contrary to the conventions of the past. But this government does not have to apologize to anyone for its record in terms of reform of the welfare system. We are cleaning up the messes that the member's government created.

Mr Harris: The Premier and the Minister of Community and Social Services try to blame the federal government for the province's inability to keep a promise, for the province's inability to follow a long-term game plan. I do not accept that. Members will note from my non-confidence motion this afternoon that this government has raised taxes by 130%. It has increased its own spending from \$25 billion to \$44 billion, so the Premier should not try to tell me that it has not had the money right here in the richest, highest-taxing province of this country.

George Thomson told the Premier that implementing stage 1 of SARC without stages 2, 3 and 4 would not work. In fact, some argue it would make the long-term problem worse. Will the government complete the nuts and bolts of SARC, ie, stages 2, 3 and 4, which were the reform part of the social services system here in Ontario?

Hon Mr Peterson: I could tell my honourable friend something that he is not aware of, but since he is trying to start a campaign of some sort or other, I would like to respond to him. Does he know that this government is spending less as a percentage of gross national product than the member's government spent, but we are balancing the books? We have brought equity programs to people across this country. I am prepared to happily debate with him the questions of pay equity for women and for equality, his idea to tax food in this country and his idea to tax the sick in this country. I am looking forward to that debate and I am looking forward to defending the record of this government with respect to the progressive nature of social welfare. So to my friend, any time he is ready.

Mr Harris: I do not know how running Ontario's debt from \$30 billion to \$40 billion in five years is responsible. But let me ask about this, because I am very interested in the one long-term game plan the Premier had that he refused to follow. The basic tenet of the SARC report, a principle which is supported by all members of this House, is transition. That is why it is called the Transitions report, a transition from being a tax burden to being a taxpayer. The only significant aspect of SARC that the government has implemented is part of phase 1, increase the benefit levels. That was the easy, throw more money into the pot part of it.

Does the Premier disagree with Chairman Susan Pigott of the Child Poverty Action Group and many others who believe that by not following through today on the reform phases of SARC, not only is the government failing to address the long-term goals for all of society but we are also losing the benefit of the extra money that was committed last year?

Hon Mr Peterson: I assume the member has read the SARC report and I assume he understands that those phases depended on the co-operation of the federal government. We have been cut off at the pass by the federal government—his government, not ours. So when he bleeds out of one side of his mouth and wants to cut help on the other side of his mouth, it is not easy for him to stand up in this House credibly and put forward that point of view.

We have started on a systematic program of welfare reform. It was continued in the last budget, where 115,000 people were taken off the rolls; with our housing programs; with getting rid of OHIP premiums, which was part of the SARC report that the member disagreed with; as part of a multiplicity of programs; child tax credits for the poor and a variety of other programs to address the comprehensive problem of poverty. So I say to my honourable friend, we have a comprehensive plan. We are working on that in a very thoughtful way and we are making real progress.

Where the member could be useful, where he could be helpful in this debate, is he should go to his friends in Ottawa and tell the Minister of Finance, Mr Wilson, and Mr Mulroney to fulfil their obligations to the disadvantaged of this province and across this country. Together, we will be able to fund a program that is the model for the world and for Canada.

EDUCATION

Mr R. F. Johnston: I have a question for the Premier. The Minister of Education is presently sitting on a series of reports which will have major implications for Ontario's education system. The select committee on education reported in January on some major changes to financing education, which he has not had the courtesy to respond to as yet.

The Ministerial Inquiry into Religious Education in Public Elementary Schools under Mr Watson has reported. He has had that now again for many months and has not made any pronouncements. Special education, which we have been expecting for some time, has not come forward, and the Vision 2000 review of post-secondary education at the college level has also not had any response.

The select committee process which he established and to which he wanted to give credibility set up a process for review of financial ceilings for education that were to complete a major consultation by 30 August 1990. Why is it that the Premier's government has not responded in this House before we rise about his intention to meet the requirements set forward by the majority Liberal committee?

Hon Mr Peterson: I know the minister has this in hand and I will pass on the member's very thoughtful comments to him.

Mr R. F. Johnston: It is not just the Minister of Education, it is also the Premier, because he has had several ministers of education who have sat on his promised amendments to the special education act, Bill 82, which he will recall.

Public hearings were held for that in 1986. At various times over the last three years, we have heard that it is coming in a few months. We have heard that it is coming on Monday, and

now the minister has said that it will not come until later this fall, presumably after an election.

Why is it that the government is leaving kids in need of real special education out on a limb, as we know it is, because of the failings in the present legislation?

Hon Mr Peterson: If the minister has pronounced on the subject, then the member knows his plans. These things are a matter of review. They are reviewed thoroughly. I know my honourable friend opposite thinks he has the instant answer to every problem. That has always been his history and I appreciate the benefit of his advice. But on the other hand, let me tell him we are going to miss him terribly.

1510

LANDFILL SITE

Mrs Marland: My question is also to the Premier. Two weeks ago, the cabinet overturned a decision of the joint board regarding the proposed landfill site in Tiny township. The cabinet even had the nerve to substitute the board's decision with its own decision. I would like to remind the Premier that in 1985, when he commented on a similar situation, he said, "It is a travesty of the system to have the hearing process, with expert testimony, overturned by politicians and cabinet who know very little about the issues."

Now that the cabinet has done what the Premier said was wrong in 1985, why has he changed his mind? Is it that reopening the hearings would delay a decision until after an election?

Hon Mr Peterson: I think the Attorney General can help out my honourable friend.

Hon Mr Scott: The decision in this case was not overruled on the merits, as the honourable member would know if she could take a moment to read either the decision or the note that accompanied the cabinet's decision.

The board dealt with the matter as a question of process in the first place. It was clear that the process established had overlooked a significant fact. The matter was referred back to the board, not to conduct a new hearing but to conduct a portion of the hearing again so that all the material necessary under the statute and the policy would be before the same board when it considered its decision. We did not review the decision on the merits or reverse it on the merits.

Mrs Marland: I am disappointed the Premier would have referred this question, because it obviously indicates he is not concerned about the environmental results of this decision.

When the member for Muskoka-Georgian Bay announced the cabinet decision, he made that announcement on a Friday, at four o'clock in the afternoon I might add, with no notice to either the press or the citizens' groups that had been involved in the hearing. He said that the cabinet had also decided to "provide financial support for the required studies by the communities." The government would also assist in "minimizing current waste disposal costs."

When the Minister of the Environment sent other municipalities back for more research—I might give the region of Peel as an example—the government did not offer to finance these studies, nor did it offer to help pay for current waste disposal costs. Is this a new government policy, that the provincial government will pay for a municipality's garbage disposal until it finds a new landfill site?

Hon Mr Scott: I think it is unfair of the honourable member, though I am certain not intended, to criticize the Premier

for referring the question to me. I am the chairman of the legislation committee of the cabinet, and besides that the Premier firmly thinks I should get more experience in the rough and tumble of the House. The honourable member will simply have to tolerate me for a while longer as I get that kind of training at her hands.

The decision that the honourable member refers to, if she would take a moment to look at it carefully again, does not establish any new policy. It makes a reference back to the board that is not based on an assessment of the merits and attempts to make a determination in referring it back that will not do an injustice to any of the parties in the hearing process.

Mrs Marland: Why are they getting money?

The Speaker: Order.

Hon Mr Scott: Under the rules, as I understand it, the member must ask her House leader if she is going to ask another question. I know he will not let the member do that. So we will have to meet in the autumn to talk about it. No policy has been established by this decision. These decisions are looked at individually. Cabinet attempts to make a decision that it thinks, in all the circumstances, is the appropriate one, which is what we did here.

CORRECTIONAL OFFICERS

Ms Oddie Munro: My question is to the Minister of Correctional Services. Approximately one year ago there was a great announcement in Hamilton for the construction of a new training centre for correctional officers. Can the minister tell me the progress of that project?

Hon Mr Patten: I am happy to tell the member that the project is progressing extremely well. We have had some delays as a result of part of the province-wide strikes that have gone on. This particular centre will serve the full range of staff training for our people. As the member knows, we have 7,500 employees in our ministry and therefore we have a great deal of training to do.

It is the former Bell Cairn school building in Hamilton that is being renovated. Along with that is a residential section that will be added to this particular building, which will allow us to provide residential training for 72 people. This will go a long way to having all of our training for correctional officers in one spot rather than going outside to rent hotels and motels and places of this nature, and I think will be a source of pride for our correctional officers.

Ms Oddie Munro: I wonder if the minister could tell me what the rationale and focus of the training programs will be.

Hon Mr Patten: As I am sure the member and some of the other members from the Hamilton area will appreciate, correctional work is becoming more and more complex and more and more highly specialized. Perhaps a few examples might help. The nature of some of the basic training for correctional officers has to do with human rights training, inmate management, discipline, some of the policy issues related to communicable diseases and how those are managed, how we handle emergencies, cardiopulmonary resuscitation, first aid, etc.

Beyond that, as the member knows, it is a requirement for correctional officers to participate every five years in advanced training and update their particular skills to deal with emergencies, suicides, possible escapes, stress management and career development. As I said before, I believe this centre will go a long way to enhance the morale of our employees by way of the

opportunities they will have for future training and development at this centre.

SOCIAL ASSISTANCE

Mr Allen: I have a question to the Minister of Community and Social Services. The minister will recall that he and the Treasurer have insistently throughout this spring session, and particularly at the time of the budget, said it was impossible to make new advances on a whole host of programs in the social sector because of the cap on the Canada assistance program.

In particular he will remember that in the wake of that, the government suspended the New Directions for Child Care policy. Dozens of capital projects across the province have been refused even though they have boards and supporters and everything ready to go and in spite of the fact that there is an 8,000 waiting list to get into those programs for subsidized spaces. There are hundreds of centres on the brink of bankruptcy. Now that the cap has been lifted in a British Columbia Court of Appeal decision on 15 June and \$157 million has been released—

The Speaker: Do you have a question?

Mr Allen: The Treasurer now has \$157 million in effect at his disposal. Would the minister care to comment on the Treasurer's rather perverse comment in the press the other day in response to this judgement that he would not be releasing further moneys for such child care programs or for social service expansion on programs already announced?

Hon Mr Beer: I would say to my honourable friend that the Treasurer's comments were certainly not perverse, but really were simply recognizing the fact, which is that we do not have those dollars. The federal government has not accepted the ruling of the court and has indeed indicated that it is most likely going to appeal that. The point of fact is that the dollars we have committed this year and will be spending show an increase even in the child care area of some \$47 million or \$48 million.

If ultimately we find that the courts through the system uphold the decision of the BC court, then clearly we have a number of areas where we would want to apply those dollars, but I think the member would agree that until we have those dollars, what the Treasurer is simply saying is that we cannot spend what we do not have.

Mr Allen: I am told, and I think the minister understands, that once a federal decision like that has been rendered illegal, this province may go ahead and spend cost-shared dollars and expect compensation until such time as that judgement is declared legal. Quite apart from that, the government has recently had \$600 million returned to it in transfer payments that go back as long as 1963.

When I think of all the times I have asked this minister about particular social programs, whether it had to do with food banks, the developmentally handicapped, the disabled, social assistance for singles, a whole host of social programs—I care not to think of the number of times I have asked those questions—he has consistently referred to this problem. Inasmuch as those funds are now in the government's Treasury, would the minister not undertake—

The Speaker: Thank you.

Mr Allen: —to give us that new schedule of expenditures on that series of programs I have been asking about in order that the people who are in desperate need can get—

The Speaker: Order. Minister.

1520

Hon Mr Beer: I would like to make very clear to the honourable member that in terms of what this government has done as recently as the last budget, the budget of the Ministry of Community and Social Services actually has gone up some \$800 million, all of that at a time when we were under the understanding there would be no further funding coming from the federal government.

As yet we have no reason to believe we are going to see one penny of the \$160 million that we were expecting to receive. I can assure the honourable member that should that occur, we would most certainly be looking at the major priority areas and would try to ensure that more dollars would flow. But at this point we have no indication that is going to happen, and indeed in the judgement that the court made it was indicated that it was not that the federal government might not want to consider other ways of cutting back on funding, but rather that the way in which it did it, in the judgement of the court, was wrong.

It is our understanding that the federal government is looking for ways of cutting that particular program and that this is why it is going to be appealing that decision.

TRANSPORTATION SAFETY

Mr Cousens: I have a question for the Minister without Portfolio responsible for disabled persons. Last week my colleague the member for Mississauga South and I asked this minister about the death of Miss Parenteau. At that time the minister was not aware of Coroner Cass's report on TTC safety and its subsequent recommendations.

For the minister's benefit, one of the recommendations is as follows: that a program be implemented immediately to install a clearly defined yellow safety strip in each station across the system. What action has the minister taken in conjunction with the Minister of Transportation to implement this recommendation, a recommendation that is so very critical to the members of our visually impaired community?

Hon Ms Collins: I can assure the members that I discussed this matter with the Minister of Transportation the other day. I brought their concerns to his attention. I continue to work with him on policies with regard to people with disabilities and transportation in this province. I can tell the member that the Ministry of Transportation funds municipalities in this province to provide safe transportation systems.

Mr Cousens: The minister should be aware that we have been in contact with members of Miss Parenteau's family, as well as with organizations representing Metropolitan Toronto's visually impaired. They have informed us that there have been numerous occasions on which accidents have taken place on the TTC involving the visually impaired, many of which go unreported.

They also informed us that the coroner was not able at this time to conduct an inquiry into Miss Parenteau's death and that, incredibly, the Toronto Transit Commission has informed them that until the province of Ontario comes up with additional funding, it will not be able to put in the safety strips.

When will this minister start to represent those within the disabled community? Why must we continue to dog her with questions that respond to the needs of the visually impaired and she comes back with an answer, as she just did today, that says she is just talking to the minister and nothing is happening to help them in our transit system?

Hon Ms Collins: I can assure the member that we do care about the transportation system in this province when it concerns people with disabilities. The Ministry of Transportation—

Mr Cousens: You care but you're doing nothing. You talk and talk and nothing happens.

The Speaker: Order.

Mr Cousens: There isn't much of an answer from you.

The Speaker: Are you finished now?

Mr Cousens: If I had another opportunity, Mr Speaker, I would be pleased to go further.

The Speaker: Thank you. You are not, so I will just wait until you are finished.

Hon Ms Collins: As I was saying, the Ministry of Transportation gives municipalities and transportation authorities the subsidies to provide safe transportation in all municipalities in this province, and we have been giving those subsidies to the TTC and to Metro Toronto. In addition to that, we have formulated a policy on transportation for people with disabilities that is leading in this country. In fact the minister just announced a couple of weeks ago the endorsement of a report done by the TTC and Metro on transportation for people with disabilities. He also announced increased subsidies for conventional transit systems in the province, which would increase from 75% to 90%, as well as the establishment of a permanent accessible taxi program for the province.

We are leading the way but we do expect, when we flow provincial dollars to municipalities and transit authorities, that they will provide safe transportation for all people in this province.

PALLIATIVE CARE

Mr Faubert: My question is to the Minister of Health. For a number of years Scarborough General Hospital has been attempting to obtain funding for a community-based palliative care program. The minister will be aware of continuing requests over that period in support of this proposal. The program is in keeping with the direction of our government to move from institutional care to community-based care. However, over the past two years, as has been the response to inquiries, the area of palliative care has been under review by the ministry.

Can the minister advise this House when the review on palliative care will be completed and when it is anticipated that requests for such proposals will be received?

Hon Mrs Caplan: I want to thank the member for Scarborough-Ellesmere for his question. I am very aware of his interest in this important matter. I have had the opportunity to have notice of the question. He is aware that in fact palliative care policy is under active review within the ministry. We are anticipating that as soon as the policy determination is complete, we will have a request-for-proposal process and that all requests for proposals would then be reviewed through the district health councils in the province.

Mr Faubert: As the minister is aware, there is widespread support for Scarborough General Hospital's community-based palliative care program, and that is, as we know, a proposal for in-home care of terminally ill patients, that they receive treatment by a palliative care specialist and have the dignity and comfort of nursing within their own homes. Can the minister give the people of Scarborough assurances that every considera-

tion will be given to this request when these proposals are called?

Hon Mrs Caplan: I am pleased to say to the member that due consideration will be given to all proposals that come forward, following policy determination and requests for proposals that would follow that. I would say to him that our whole focus has been on a comprehensive, co-ordinated approach to the delivery of services. I have always said that the dignity of the individual as well as quality of care and quality of caring are all part of our approach in the development of community-based and community-focused services. I am pleased to tell him that this policy matter is under active review at the present time.

NURSING HOME

Mr B. Rae: I have a question to the Minister of Health. In our members' gallery this afternoon are a number of people who used to work at the Casa Verde nursing home. They are registered nurses and others who were on staff at this nursing home, which is in the city of North York in Metropolitan Toronto. This home was bought by one Gerald Harquail in 1989, and on 3 May 1990 Mr Harquail dismissed all the registered nurses who were on staff and replaced them with nurses working for an agency. The day before these nurses were fired, the nursing home received accreditation.

I would like to ask the minister a very basic question. When the ministry approved the sale of the home to Mr Harquail, did he at any time inform the nursing homes branch inspectors that it was his intention to dismiss the entire registered nursing permanent staff and replace them with agency nurses?

Hon Mrs Caplan: I know it is sometimes a practice in this House for a member to give notice to a minister of a detailed and specific question. If the member had done that prior to question period, I could have had an answer for him today. I am not familiar with this issue and I will be pleased to look into it.

1530

Mr B. Rae: Perhaps the minister should be familiar with the issue. Her ministry has now received two letters from the Ontario Nurses' Association, dated 15 May and 18 June, which outline in considerable detail precisely what happened. I personally met with a number of members of the staff of the Casa Verde nursing home last week in my constituency office and I would have assumed that the minister would have had this material in front of her, knowing it is an issue that is very much alive.

I would like to ask the minister, if she is not capable of answering the question today, if she can tell us, while she is doing some research, why it would be, when she knows perfectly well that the regulations under the act are designed to protect the residents of the home, that the nursing homes branch would be condoning this kind of wholesale dismissal of permanent staff and their replacement by people who have no knowledge of the residents, who have no involvement with the residents, who have no connection with the residents and who are working for a nursing agency? Is this now going to be the practice in our nursing homes, that the entire nursing staff will be replaced by people who have no connection at all with the residents they are intended to serve?

Hon Mrs Caplan: As I said to the member opposite, I will look into the matter.

MILK QUOTAS

Mr Villeneuve: To the Minister of Agriculture and Food: Some two weeks ago the Ontario Farm Products Marketing Commission stated, "The broader issue of the whole milk supply management system and how milk is allocated in the province of Ontario must be reviewed." The minister's files will show that the Premier promised such a review to the St Albert Co-operative Cheese Manufacturers Association in April 1986, fully four years ago.

Supply management is working and must be protected. Sales of dairy products must be maximized. It is now four years. The Milk Marketing Board has asked for such a review. When will the minister and his ministry look into this request?

Hon Mr Ramsay: I would like to not only thank the honourable member but also the member for Prescott and Russell, who handed me the complete file on this a couple of days ago and asked me to review it on behalf of the Fromagerie St-Albert.

To make a specific comment about this particular case and this particular case that was brought before the Ontario Farm Products Marketing Commission would be inappropriate, because obviously there are review procedures and the final review and arbiter of that would be myself, as Minister of Agriculture and Food, but I would be quite happy, if there is a supplementary, to maybe speak in more general terms to this particular problem.

The Speaker: Supplementary, if there is one?

Mr Villeneuve: I think I am a little disappointed with the fact that the minister really has still not addressed that problem, but their Common Ground paper makes some appropriate noises about ensuring effectiveness and responsiveness from regulated marketing systems.

The fact of the matter is that Ontario's milk and poultry farmers are constrained from meeting plant and consumer demand. The fallout from the Meech will not make greater flexibility among provinces. We do have friction there now and the Meech Lake accord not coming to fruition will increase that. It is a growing problem in Ontario. What will the minister be doing to ensure that the demand for supply-managed commodities is met?

Hon Mr Ramsay: I thank the member for his supplementary, and I am quite prepared to sit down with the member, and the member for Prescott and Russell also, and the Milk Marketing Board, which I have had conversations with about this particular problem. I would be quite prepared to sit down and try to find maybe some new approaches in order to solve the problem that St Albert is suffering.

I just want to say that that cheese factory in St Albert makes a tremendous contribution to the economy of eastern Ontario, not only to the dairy industry and agriculture as a whole but also to tourism, as that product attracts people from Quebec and from the United States into that area to buy that product. It uses whole milk and that is always a challenge in our industry, to use the whole-milk product. So I am quite sensitive to that and I am sure together, with all our help, we can find a solution to this.

REAL ESTATE INDUSTRY

Mr Tatham: My question is to the Minister of Consumer and Commercial Relations. It concerns the current status of the real estate industry in this province.

A number of my constituents are concerned with what appears to be a serious downturn in the real estate market in

Ontario. Many of these constituents are elderly people, trying to sell a home they have lived in for decades in the hopes of finding something more modest for their retirement. Others are first-time home buyers seeking a new home for a growing family. Some, however, are concerned that they are entering a marketplace without any protection whatsoever. These people are concerned that instead of realizing a dream they will end up with problems.

My question is, what protection exists for a person in this market? Is there any protection for the person who simply wants to sell his home, not to make a million dollars but just to change his lifestyle?

Hon Mr Sorbara: My friend the member for Oxford asks an important question, because, as he notes, there is a fairly significant downturn in the real estate industry and there have been a number of highly publicized closures of real estate brokerage firms.

I should point out to him that there are a number of protections that exist right now in the Real Estate and Business Brokers Act, including the requirement for each brokerage firm to be bonded so that there is a security for any deposits that are held by a brokerage firm that goes into receivership.

Mr Tatham: I am glad to hear that story, but I wonder. The concerns with the state of the real estate market as a whole are well founded. The minister has told the House what it is that his ministry does directly for consumers and I believe that those are effective measures, but I believe many of my constituents would also like to know what measures will be taken to relieve the pressure that obviously exists in the industry right now.

What specifically can be done to ensure that the marketplace is as strong as it possibly can be in the coming months and years to ensure that consumers and brokers alike are protected, both for now and in the future?

Hon Mr Sorbara: I guess the most important thing that could happen is that the governor of the Bank of Canada could come to his senses and bring about a lower rate of interest in this province and in this nation so that both businesses and consumers could get on with the business that they are very anxious to do.

For our own part, I want to tell my friend from Oxford that we are looking at a number of new provisions within the Real Estate and Business Brokers Act to ensure that the kind of consumer protection we have is available and has the strength of protection that will protect consumers whatever the market is and whatever the policy of the federal government and its scandalous interest rates.

Interjections.

The Speaker: Order.

Mr Jackson: It's the lot levies; the extra \$5,000 in lot levies. That's another one you could pull back.

The Speaker: Order.

TRAVEL INDUSTRY

Mr Philip: I have a question to the same minister. I have supplied the minister with copies of advertisements from different companies on package tours. Despite letters of protest to this minister by consumers who feel they have a grievance against these companies, it appears that certain tour companies are charging for non-existent taxes, taxes that are not charged by certain countries, and hotel services that are not charged in certain countries.

I ask the minister, does he feel it is in the best interests of the consumer, putting low prices in the large, bold type of advertising and having a lot of additional charges, non-existent charges, in fine print? Is that in the best interests of the consumer?

Hon Mr Sorbara: I appreciate that the member for Etobicoke-Rexdale has sent me over this ad. He alleges that these taxes that are referred to here—I will simply read them out. One says, "Hotel services and taxes, \$105." He also has underlined a provision saying, "Canadian, \$19, and Cuban departure tax and tourist card, \$21, are extra and will be added to your account."

My understanding is that there is a Canadian departure tax. I cannot confirm whether or not there is a Cuban departure tax.

What I can tell him is that the new regulations that my predecessor, now the Minister of Transportation, put into place dealing with the advertisements in our travel industry are the most stringent in all of Canada and I suggest perhaps all of North America. I want to tell him that if these ads—and I will have my ministry check them out—misrepresent what is actually being charged, then we will deal with the matter accordingly, but I resent somewhat the fact that he suggests or alleges that there is a misrepresentation. All I can tell him is that we will check out that matter and deal with the matter appropriately if these are misrepresentations of what is really charged in the form of taxes.

1540

Mr Philip: The minister has received these ads before from consumers who have written to him, and I have copies of the consumers' letters to his ministry.

The ministry says it is there to negotiate or arbitrate in disputes with a travel company. Under clause 27(g) of the Travel Industry Act the minister has the power to make regulations "governing the form and content of advertising." One of the companies that the complaint is being made about has suggested that under this section the minister should prohibit the small-print advertising and require tour companies to include the total price in the price they are advertising.

Why will the minister not do that so that a consumer can see, when he is doing comparative shopping, the exact price he is going to pay for a tour and not have it in fine print and in many cases, in the case I have supplied him with, non-existent taxes, in this case by the Cuban government?

Hon Mr Sorbara: I see my friend the member for Nickel Belt has crossed the floor and is now sitting in the chair of the Attorney General. I am not sure if he is preparing himself for an upcoming election, but I suggest to him that if he really does want to cross the floor, he may well qualify for a position in the next executive council.

In answer to my friend's question, we have made the regulations that he suggests and they are the most stringent regulations of any jurisdiction in Canada. He is telling me that there is small print here and I just want to tell him that the print he has circled is perhaps a fraction smaller than the other price.

He says that the ministry is trying to negotiate a settlement. That is not the case. If ads are misleading, charges will be laid. He says that individuals have written in, and if that is the case, officials in my ministry will be investigating. If there is a dispute between a consumer and an agent or a tour operator, that is the appropriate place to negotiate; but if there is a violation of the law or the regulation, that is not an appropriate place to negotiate and we would charge.

I cannot tell him now that these ads are misleading, but I tell him that I will look into it.

REPORTS BY COMMITTEES

SELECT COMMITTEE ON EDUCATION

Mr Campbell from the select committee on education presented the committee's fourth report and moved the adoption of its recommendations.

Mr Campbell: In this fourth report, the committee has increasingly seen that education must be a lifelong and continuing process. This committee held 10 days of hearings in January and February of this year to investigate the start of this process, early childhood education.

There are three key themes in this report that outline generally the thrust of this report.

The first key theme is that our report emphasized the importance of early childhood education. We think the first years of education are the crucial foundation not only for children's later educational development but also for their overall social and personal development.

The second theme was the potential of early childhood education. It can only be realized if it is comprehensive, well planned and well integrated into the education system. The committee report applauds government initiatives to expand kindergarten, but our hearings revealed considerable confusion from educators as to the pedagogical rationale of the initiatives, their implications for class size, teachers' and boards' capital and funding needs and the availability of resources for boards to mount high-quality programs.

The third central theme of our report was the need for continuity. We heard much of the importance of a seamless day for children. This means ensuring comprehensive and flexible provisions for child care, encouraging common principles and co-ordinated programs and enhancing co-ordination of programs and goals between the different settings and institutions in which children find themselves.

The committee identified key changes needed to ensure this type of co-ordination. Among the most critical areas is the connection between day care and schools.

The committee was pleased to see the expansion of school-based child care, and we recommend that the ministry develop a plan to ensure that every school has adequate facilities.

We agree with many witnesses who called for good co-ordination between the educational and child care systems, including the two ministries involved.

We also see great potential for the local integration of services and programs. We called on the Ministry of Education to fund pilot projects such as the model proposed by the Garderie scolaire d'Ottawa-Carleton School Day Nursery Inc to integrate kindergarten and child care in schools.

There must be good communication between the child care and school systems and mechanisms to pass on observations on special needs and learning difficulties.

Equally important is the need to articulate the very different training of professionals dealing with young children. We would ultimately like to see integrated professional development and common training for all teachers in the early years, and we recommended that a specialist program be established.

We recommended that teacher training and provision of child care, health and other social services be examined in order to better facilitate the early identification of special needs.

We also think that the concept of community or neighbourhood schools, in which the schools are a focal point from which a wide range of services for children are provided or co-ordinated, should be explored.

On motion by Mr Campbell, the debate was adjourned.

The Speaker: I should inform the House that I omitted to call petitions. I will, as soon as I finish this.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr59, An Act respecting Sioux Lookout District Health Centre;

Bill Pr87, An Act to revive the Empire Club Foundation;

Bill Pr90, An Act respecting St George's Society of Toronto;

Bill Pr92, An Act respecting the City of Thunder Bay;

Bill Pr93, An Act to revive Dinorwic Metis Corporation;

Bill Pr97, An Act respecting the City of Kingston and the townships of Kingston, Pittsburgh and Ernestown.

Your committee further recommends that the fees and the actual cost of printing be remitted on Bill Pr90, An Act respecting St George's Society of Toronto.

Motion agreed to.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Chiarelli from the standing committee on administration of justice presented the committee's report on Alternative Dispute Resolution 1990 and moved the adoption of its recommendations.

Mr Chiarelli: I am pleased to report the justice committee's study on alternative dispute resolution, or ADR as it is called.

Simply, alternative dispute resolution refers to the myriad of non-judicial processes for resolving conflicts, ranging from negotiation, mediation, arbitration, conciliation, private judging, mini-trial, moderated settlement conferences and others.

This is the first major report by a legislative committee at either the provincial or federal level to study the complex area of alternative dispute resolution. The committee found that at the present time no jurisdiction in Canada has any broad-based policy dealing with this issue.

In its report the committee considers and makes recommendations on the extent to which Ontario public policy should develop and encourage alternative means for the resolution of legal disputes both outside and within the established court systems. The report's nine recommendations range from requiring the province to build in ADR procedures in new legislation to the use of ADR in the resolution of native claims.

Society is generally ahead of government on this issue. The inquiry has shown that the public wants new and better processes applied to settle situations of conflict, whether they be neighbourhood disputes or issues of national significance.

Most of the credit for the production of this excellent report and its concise and realistic recommendations should go to the clerk, Douglas Arnott, and to the researchers, Avrum Fenson

and Susan Swift, all of whom excelled in professionalism and expertise and therefore in results.

On motion by Mr Chiarelli, the debate was adjourned.

1550

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Sterling from the standing committee on government agencies presented the committee's report on the Ontario Human Rights Commission and moved the adoption of its recommendations.

The Speaker: I am sure the member may wish to make a few comments.

Mr Sterling: I was amazed, actually, that the Chairman of the standing committee on administration of justice was not properly attuned to the procedure of adjourning the debate after he had made his initial comments.

Mr Callahan: That's not true.

Mr Chiarelli: You're so smart.

Mr Sterling: I say that in jest. Some would argue about some of the members across the way.

On 25 July of last year the government House leader authorized the standing committee on agencies, boards and commissions to review the operation of the Ontario Human Rights Commission. In the fall of last year the committee sat for approximately five weeks to consider representations made by various groups on the Ontario Human Rights Commission. As a result of those hearings, and the able counsel of Bernie McGarva of Shibley, Righton McCutcheon law firm, the committee came to make several recommendations regarding the human rights commission, which are contained in this report.

I would also add that perhaps the main recommendation or the most outstanding recommendation of that report is that the committee suggests that the maximum penalty under the Human Rights Code be taken from a maximum of \$25,000 to \$1 million.

There was a dissenting report filed on behalf of the New Democratic Party.

I suggest that all members of the Legislature look at the recommendations of this report and hope that the report will lead to some meaningful reform of the Ontario Human Rights Commission.

On motion by Mr Sterling, the debate was adjourned.

The Speaker: Petitions, and I appreciate the patience of the member for Kitchener after my error.

PETITIONS

FOOD BANKS

Mr D. R. Cooke: I have a petition signed by 460 people indicating their support for St John's Kitchen in Kitchener and their concern about the recent provincial government decision to withdraw funding for emergency food services and their concern about the \$41,130 decrease in funding for St John's Kitchen this year.

RELIGIOUS EDUCATION

Mr D. R. Cooke: I also have a petition signed by 76 members of the Coalition for Religious Freedom in Education, who are members of Kitchener Mennonite Brethren Church, which indicates to this assembly:

"Whereas the regulation pertaining to religious education in publicly funded schools was struck down by the Ontario Court of Appeal; and,

"Whereas section 50 of the Education Act gives parents the right to choose what kind of religious education their children shall receive; and,

"Whereas the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms guarantees equality rights to all Canadians; and,

"Whereas the 1948 United Nations Universal Declaration of Human Rights, which has been endorsed by Canada, states that, 'Parents have a prior right to choose the kind of education that shall be given to their child...'

"We respectfully request that the government of Ontario provide publicly funded religious education programs and alternative schooling on an opt-in basis to all parents in Ontario, thus enabling them to choose the type of education which they believe to be most beneficial to their children."

SALE OF CONSERVATION AUTHORITY LAND

Mr Adams: With the slight change of agenda, I was becoming concerned about petitions. This is a very important petition that I received on Monday. I drove down to the House on Monday specifically to deliver it. In fact we did not have petitions that afternoon.

This petition deals with the sale of land by the conservation authority in Peterborough, which has created great concern among 2,600 citizens of our community. These are citizens who are interested in these lands, which were sold by the conservation authority, returning to the crown. The petition signed by these 2,600 people, most of whom, it seemed to me, were at my office, reads as follows:

"Whereas the land known as the Buckhorn Wilderness Centre has become private property; and

"Whereas the citizens wanted these lands to be a conservation area;

"We, the undersigned, petition that the necessary steps be taken to have the above-mentioned lands taken over by the crown for the use and enjoyment of the general public."

As required by the regulations, I have signed this petition.

CONTROL OF SMOKING

Mr Adams: While I am on my feet, I have another petition. This petition I received via the Kawartha Pine Ridge region of the Ontario Lung Association. It is signed by almost 100 people, and most of them are children. These are people who are concerned about the effect of tobacco smoke on the health of people in general but specifically on children. They are especially concerned about the effects of secondhand smoke on young people and they are working towards a smoke-free world. This too I have signed.

FRENCH-LANGUAGE SCHOOL BOARD

CONSEIL SCOLAIRE DE LANGUE FRANÇAISE

M. Poirier : J'ai avec moi treize pétitions, toutes demandant un conseil scolaire de langue française dans les circonscriptions de Prescott et Russell. I have 13 petitions.

J'ai 96 signatures de l'association parents-élèves de l'école Sacré-Coeur à Bourget ; 95 de l'APE de l'école Saint-Joseph à Wendover ; 45 de l'APE de l'école Saint-Joachim à Chute-A-Blondeau ; 104 de l'APE de l'école Notre-Dame-de-Fatima à St-Eugène ; 25 de l'APE de l'école Saint-Isidore-de-Prescott à Saint-Isidore de Prescott ; 64 de l'APE de l'école Saint-Jean-Bosco de Hawkesbury ; 50 de l'APE de l'école secondaire de Casselman ; 39 de l'APE de l'école secondaire de Hawkesbury ; sept de l'APE de l'école secondaire de Plantagenet ; 21 du cercle de Bourget de l'Union culturelle des Franco-Ontariennes ; 255 de l'APE de l'école Saint-Paul de Plantagenet ; 88 de l'APE de l'école Du-Rosaire à Saint-Pascal-Baylon ; et finalement, 71 de l'APE de l'école Saint-Joseph à Lefavre, pour un total de 960 noms.

INTRODUCTION OF BILLS

CHILD AND FAMILY SERVICES
STATUTE LAW AMENDMENT ACT, 1990

Mr Beer moved first reading of Bill 233, An Act to amend the Child and Family Services Act, 1984, and to amend certain other Acts relating to Adoption.

Motion agreed to.

AGRICORP ACT, 1990

LOI DE 1990 SUR AGRICORP

Mr Ramsay moved first reading of Bill 234, An Act to establish a Corporation to provide for Agricultural Insurance.

M. Ramsay propose la première lecture du projet de loi 234, Loi portant création d'une personne morale offrant de l'assurance agricole.

Motion agreed to.

La motion est adoptée.

1600

CROP INSURANCE ACT (ONTARIO), 1990

LOI DE 1990 SUR
L'ASSURANCE-RÉCOLTE (ONTARIO)

Mr Ramsay moved first reading of Bill 235, An Act to revise the Crop Insurance Act (Ontario).

M. Ramsay propose la première lecture du projet de loi 235, Loi portant révision de la Loi sur l'assurance-récolte (Ontario).

Motion agreed to.

La motion est adoptée.

FARM INCOME STABILIZATION ACT, 1990

LOI DE 1990 SUR
LA STABILISATION DES REVENUS AGRICOLES

Mr Ramsay moved first reading of Bill 236, An Act to revise the Farm Income Stabilization Act.

M. Ramsay propose la première lecture du projet de loi 236, Loi portant révision de la Loi sur la stabilisation des revenus agricoles.

Motion agreed to.

La motion est adoptée.

GAMING SERVICES ACT

Mr Sorbara moved first reading of Bill 237, An Act to provide for the Regulation of Gaming Services.

Motion agreed to.

TOWN OF OAKVILLE ACT, 1990

Mr Carrothers moved first reading of Bill Pr98, An Act respecting the Town of Oakville.

Motion agreed to.

ORDERS OF THE DAY

MOTION OF NON-CONFIDENCE

Hon Mr Sorbara: Mr Speaker, on behalf of the government House leader, I want to seek unanimous consent to split the time during this debate and to have the vote at 5:45.

The Speaker: Is there unanimous consent for that request?

Agreed to.

Mrs Cunningham: Mr Speaker, in the absence of our leader, may I have consent to move the non-confidence motion and to read it into the record?

The Speaker: It should not be too hard to get now. Is there unanimous consent?

Agreed to.

Mrs Cunningham, on behalf of Mr Harris, moved motion 4 under standing order 42(a):

That, in spite of 33 tax increases, increasing annual provincial tax revenues by over 130% in five years, and in spite of increasing total government spending over that same period from \$25 billion to over \$44 billion this government has failed to implement several of its significant election promises, specifically the creation of 4,000 new hospital beds, the creation of 102,000 affordable rental units, provide automobile drivers with lower insurance rates and establish an environmental superfund to clean up toxic waste sites, therefore this House has lost confidence in the government of Ontario, not only for its inability to maintain its promises, but for its inability to develop a plan to halt the deterioration of our health care system, transportation network, competitive tax position, and integrity of our government institutions.

The Speaker: As members know, there has been agreement that the time will be divided among the three parties until 5:45, at which time the Speaker will then call for a vote.

Mrs Cunningham: I think it was with significant enthusiasm that the Liberal government was elected with the number of seats that it maintained in the last election of 1987. Upon that, I think, that position that was made—

Mr Fleet: On a point of order, Mr Speaker: I am just wondering, for your guidance, is it appropriate when there is a notice of motion indicating a lack of confidence in the government for the party to be not present other than for the esteemed speaker, the member for London North? There is in fact no confidence in their own motion. They will not even show up to be present for the debate. I am just wondering if that is in order.

The Speaker: In response to the, I suppose, point of order of the member, I believe he has read the standing orders on a number of occasions. The only thing the standing orders say is

that there must or should be a quorum in attendance. It does not say which members should be available. Therefore, I will recognize the member for London North.

Mrs Cunningham: Carrying on, I would say that the public of Ontario expected that the promises of this government would be fulfilled. They also expected that those of us who represent the public work very hard towards the programs that we believe in and that we do our homework, with regard to not only policies of the government, but policies that we wish the government would adopt—and, of course, that is my role in opposition—and also to the rules and procedures of this House.

I think when one takes a look at the nonconfidence motion that was presented by our leader of the Progressive Conservative Party, what we are doing here today is truly speaking on behalf of members of the public who are significantly and sincerely disappointed that some of the things that they believed in and thought this government would work towards simply have not happened.

I would like to begin by talking about some promises that were made that significantly affect the portfolio I represent, and that is the Ministry of Community and Social Services. It is with some degree of pleasure that we saw the government move towards a new social assistance review reform system. Everyone knows there were many thousands of people who marched in the poverty marches across the province of Ontario who did expect a number of changes, not only in the delivery of the social system, but in support services for people who are living in poverty in Ontario.

Some five years later, it is with a great degree of concern that people who are working on behalf of the poor in this province see food banks gaining in size and see that the greatest challenge in this next decade will be to address the issue of poverty and children.

I would say that we did expect numbers of improvements to the social assistance review reform system, to which this government has made a very small change and certainly has not addressed anything beyond stage one and certainly is not promising to move quickly towards those changes in the delivery system. At the same time as we cried out for a child care act in 1985—and it was promised in 1987—we have not seen even the beginnings.

This is a piece of legislation. We are not asking for money here; we are asking for tools and a delivery system so that we can get the job done. People lose confidence when they have not got the tools and they do not have the regulations and the support. That is not money. That is a process. It is efficiency. It is having front-line workers do the work that is needed to be done out there. A change in the child care act would allow that to happen. It was promised in 1987, in the New Directions for Child Care, that we would have it. In the 1988-89 fiscal year we do not have it.

This is my portfolio. I am obliged to speak for the public here in this House this afternoon.

Rest homes: Just think about the problems that we have had in rest homes across the province. This is not money. This is efficiency. This is caring. This is setting standards. This is looking at regulations and legislation to make certain that our seniors and people who are disabled in rest homes across this province receive the kind of support through either government programs or legislation or standards. That was promised in 1986 as part of A New Agenda. This is not money.

This government is always saying we want money. I am not talking about money. I will talk about the money they promised to spend on programs and decided to spend elsewhere. I am

now talking about glossy publications and more civil servants. But this is not money I am talking about. This is regulations for rest homes. Why not?

Seven thousand new civil servants: Surely somebody could have sat down and worked with the public through a public process and got it down.

1610

Interjection.

Mrs Cunningham: Some people say 9,000. I do not know any more. It is very difficult to get the good information that we need. It does not matter. They have got too many and they should not be using other provinces—we should be showing leadership in this province. Front-line workers are what we need, and it is what people do.

The Maloney report took a look at many services that affect the quality of programs for children. We talked about the big issue of the next decade, child poverty. In order to deal with the young child, we have to put the programs in place. It does not always mean more money. It means efficiency. This was scheduled to be released in June. Once again I stand here before this House, and we know that while over 10,000 young children are on waiting lists for mental health services, this government is still sitting writing more reports. As a matter of fact, I have asked on a number of occasions that a different kind of system be set up to take a look at the needs of children. The Maloney report that was promised in June is not here.

What am I supposed to say as I travel across the province in the next few weeks and months, maybe not as a candidate in an election but as an elected official representing the public of Ontario, speaking across this province? People care about the issues. They care about kids, they care about poverty and they want to be helpful, and I have to say, "We are still waiting." It is very difficult to defend this government, and I do not plan to do so on the issues I am raising this afternoon.

Hon R. F. Nixon: Try harder.

Mrs Cunningham: Sometimes I do. I give credit where credit is due. We are not talking money here. We are talking about a sincere interest in making changes in the delivery system within the limited fiscal resources that this government tells us it has.

Integrated homemakers: Can you imagine, Mr Speaker, that right now across the province of Ontario we have literally thousands of people in hospital beds who simply should not be there? That is expensive. We are talking \$500 a day and thousands of people in hospital beds. Twenty per cent of the people in hospital beds in this province today simply should not be there. They should be in their own homes or in other institutions supported by this government.

Interjection.

Mrs Cunningham: Wait a minute. The member for Middlesex starts asking questions. He and I may be very close on the campaign trail.

Integrated homemakers: What we need is support systems. In the last provincial election campaign, the Liberals promised the people of Ontario that, if elected, they would move to shift the health care focus of the province from an institutional approach to a community-based approach.

The government promised in the last election to expand the number of communities with integrated homemaker programs—much less expensive and more efficient—from 16 communities to 28. People voted for the Liberals because they

believed in that. They knew that people wanted to remain in their own homes when they were not well, to get support from their families, and they wanted it. What did they do? Did they move from 16 to 28 in three years? No, they did not. They moved from 16 to 18. For shame, what an absolute waste; people in hospital beds when they could be staying in their own homes.

I could go on but I am going to take just a moment to talk a little bit about the universities. I am going to quote, if I may be allowed, from an address called *The Challenge for Universities: Will They Face It?* from the president of the University of Western Ontario, George Pedersen, presented to the C. D. Howe Institute Public Policy Conference for Journalists, *The Way We Will Be*, held at Niagara-on-the-Lake, 23-24 April 1990.

Mr Neumann: Oh, that's an august body. What an august body.

Mrs Cunningham: If the member does not like who he presented it to—I see one of my colleagues is not too happy about that—he should be careful. After all, he comes from a town that has a university, I believe.

Hon R. F. Nixon: No, it's the biggest city in Ontario without a university. We're spending all the money in London.

The Deputy Speaker: Order, please.

Mrs Cunningham: The universities right across this country are concerned, absolutely concerned about the future for research and development and about the future of our training for young people and our competitiveness.

Hon R. F. Nixon: Thirty-eight hundred public servants in London alone.

The Deputy Speaker: Treasurer, please.

Mrs Cunningham: The president said that the government must renew its commitment to our university system, but in order for it to do so, the support of the general public must be gained.

Mr Neumann: We'd like a tiny, little slice of it in Brantford.

The Deputy Speaker: Order, the member for Brantford.

Mrs Cunningham: I really object, when I am talking about the future of training and development and about research and development, to being heckled in this House. These are questions that this Liberal government will have to respond to, and I am very sincere and serious when I say that we have big problems with child poverty and educating our young people, because we truly do.

Government support for universities will obviously be at the expense of other social programs, necessitating difficult choices. I think that government support should be at the expense of big bureaucracy and government waste and I think this government has only shown that it is incompetent when it comes to being efficient. I have given three or four examples today.

Failures to support our university teaching and research programs now will result in the reduced capacity of Canada to solve its economic and social problems in the future. Support for our universities and the longer-term return to such investment must be seen to be of greater importance than the programs that provide short-term political payoffs. That is what we have been living with during the tenure of this government in the last three years.

I would love to take the time to talk more about education programs and the promises, to talk about the provincial share of education costs, which in fact have not been met, to talk about small business tax credits which were promised but were not fulfilled, to talk about the reduced rate of auto insurance. I would like to see the minister talk about reduced rates this time out and then go to the next election. They will not get any seats after that track record is looked at. Just wait and see that one.

Sunday shopping: Imagine the promise that this government made. "We are not going to touch it. We believe in a common day of pause. Pass the responsibility to the municipalities. Think up programs here in this Legislative Assembly, but don't give them the transfer payments to get their work done."

Supply of affordable housing: Imagine a government that went out and promised some 102,000 rental units and cannot even produce 20,000 in three years. I am absolutely shocked to think that this government would even call an election, given its own agenda in the next few weeks and months. They have a lot of work to do and if they really think the public are going to believe their promises this time, I think they are fooling themselves.

I commend my leader for presenting this motion and giving us the opportunity to let the public know that this is a government they will not be able to trust, a government of broken promises. I thank you for the opportunity to speak, Mr Speaker.

Interjections.

The Deputy Speaker: Order, please. I would remind the members of the standing orders that call for one member at a time. The member for Middlesex.

Mr Reycraft: I welcome this opportunity to make some comments on the resolution from the member for Nipissing.

I read the resolution a few days ago, I read it again this morning and I read it again this afternoon as I listened to the member for London North make her remarks. Quite frankly, in reading the resolution, I interpreted it to be a rather wide-ranging and general attack on the record of the Peterson government, and it specified a number of different areas where the member for Nipissing obviously believes there are some deficiencies. Almost none of those were mentioned by the member for London North and almost none of the things that she mentioned are in the resolution. However, I assume that a certain amount of latitude is allowed in these kinds of discussions.

Mrs Cunningham: Health care, taxes—come on. Why don't you listen? Oh, this is weak. If you are going to take time to speak, speak about something important.

The Deputy Speaker: The member for London North, please.

Mr Reycraft: I welcome this opportunity to talk, not just about the resolution but about the record of this government, a government that took office just five years and one day ago. I believe that record is a record of reform, a record of achievement, a record of accomplishment. It is a record that I am willing to hold up and compare against the record of any government anywhere. This debate will give us a chance to talk about some of those achievements and accomplishments, and therefore I welcome it.

The member for London North is not going to leave before I have even got started on my remarks, is she?

Mrs Cunningham: Well, I was going to. Start saying something important. Stay with the resolution. Speak to taxes.

The Deputy Speaker: Order, please, the member for London North.

1620

Mr Reycraft: I note that the resolution by the member for Nipissing criticizes us for increasing taxes.

I think most people realize that governments, like individuals, have bills and governments, like individuals, have to pay those bills. This government has introduced a number of new programs in virtually every policy area and modernized existing ones. I believe that those new programs and those modernized programs will improve the quality of life and the standard of living for all Ontarians. I believe that those programs and program changes are necessary so that we can make sure that the kind of economic growth and economic development that we have enjoyed in this province over the past eight years is fairly and appropriately shared by Ontarians.

I know that the member for Nipissing is not only the leader of the Conservative Party, but a true Conservative as well. I know that, like Liberals, Conservatives are dedicated to the pursuit of individual freedom, but unlike Liberals they tend to believe that freedom is the same as the absence of restraint or constraint by the state, by government.

The member for Nipissing believes that the best government is the least government. Life is a lot more complicated than that. If we accept that principle, then the absence of constraint is simply nothing more than a kind of every man for himself freedom. It is the freedom of the jungle; it is the freedom that allows the rich and powerful, the influential to thrive in a society, but it forces the weak and vulnerable to just get trampled under foot.

Freedom without social justice is not freedom for everybody; it is only freedom for some. It is because of that pursuit of social justice that we have introduced new and modernized programs to help the people of Ontario. I know that the member for Nipissing's political philosophy differs from mine. I have noticed too in the past few months that it differs from some members of his own party as well. He had an opportunity to express his philosophy very clearly to the people of this province and to all of us during the recent leadership campaign for the third party, and we all had an opportunity to hear his views and to read of them.

We know he believes that the universally accessible health care system we have in this province should be abolished; that the sick should have to pay to go to doctors' offices and hospitals. He believes that we should do away with the property tax grant that helps seniors in our province who need that help. He believes that we should eliminate rent controls, that we should substitute rent controls with shelter subsidies, which he does not tell us how he will pay for. He believes that we should abolish pay equity in the private sectors.

Interjections.

The Deputy Speaker: Order, please. Do the members have a long enough memory to remember that the standing orders call for one member at a time?

Mr Reycraft: That is a political philosophy which I do not share. Those are views which I do not share. I believe that to provide for fair distribution of the benefits from the kind of society we have, we do require better programs and we require

that those programs be paid for now. That means we have to increase taxes to be able to do so.

When we formed the government, just five years and one day ago, this province was not paying its bills. There was a deficit at that time of \$2.6 billion. We have planned carefully to reduce that deficit and it was completely wiped out in the last fiscal year. In 1989-1990, the deficit—

Interjections.

The Deputy Speaker: Order, please. All members will have a chance to make whatever comments they wish when it comes the proper time to do it, not during another member's speech. Is that clear?

Mr Reycraft: For the first time in 20 years Ontario had a deficit-free budget. The Treasurer's budget announced for this year again is deficit-free. Not only is it balanced, but it actually has a surplus that allows us to start to pay down the debt of Ontario, and that has not happened since 1947.

I know that other of my colleagues wish to participate in this debate, and they will be talking about the specific programs that the government has introduced. I believe that the record of this government is one to be proud of. I believe that the agenda that has been put forward is an appropriate agenda for the 1990s. While I tend to share with the leader of the third party his desire to enter into a consultation with the people of this province right away about that record, I cannot support his resolution.

Mr Laughren: I must say I was struck by the wording in this non-confidence motion which complains about tax increases in the province. The Conservative non-confidence motion states that there have been 33 tax increases, which have increased provincial tax revenues by over 130% in five years. I do not doubt that those figures are roughly accurate. I have not done the arithmetic myself but I have no reason to doubt them. I certainly understand why they are concerned about it.

They talk about the promise of 4,000 new hospital beds and 102,000 affordable rental units, the promise to provide automobile drivers with lower insurance rates and a superfund to clean up toxic wastes, and all of these things that the provincial government had promised. I do not think there is anybody in Ontario, certainly by the end of the summer or early in the fall, who will not remember the promise by the Premier about three years ago in which he said that he had a specific plan to lower automobile insurance rates.

That is certainly part of this non-confidence motion by the Tories and that is absolutely correct. The member for London North is quite correct when she reminds people of that. Certainly I do not think any of us can forget that ringing declaration that the Liberals had a specific plan to lower auto insurance rates. Since then auto insurance rates have gone in no other direction but up, absolutely up. There is no question about that.

I do not know how this government is going to go out there with a straight face in Ontario in the next election campaign and make any promises. Every promise that they make, some reporter is going to put up his or her hand at the press conference and say, "Excuse me, Mr Premier" or "Mr Treasurer," if that is who happens to be making the announcement, "didn't you promise to lower insurance rates as well?"

Last week I can recall that my colleague the member for Windsor-Riverside was on his feet questioning the Premier or the Treasurer—the Minister of Industry, Trade and Technology, I guess it was; it was one of them anyway—about a promise to not allow the free trade agreement to go through if the auto pact

was gutted. Who would deny that the auto pact has been gutted by the free trade agreement? No serious person disagrees with that fact at this point.

Mr D. R. Cooke: The auto pact is still there.

The Deputy Speaker: Order, please, the member for Kitchener.

Mr Laughren: The Canadian content regulation has been totally gutted by the free trade agreement. We all understand that, at least all thoughtful persons in the province. Yet the Premier made a very specific promise that if that was to happen he would veto the free trade agreement. He would not allow the auto industry to be shafted that way by the free trade agreement.

For those reasons my colleague the member for Windsor-Riverside, in a very uncharacteristic outburst, called the Premier a liar. He said, "The Premier is lying because he said that if the auto pact was gutted there would be no free trade agreement. He would veto it. He also said that there would be lower insurance rates."

It would be even more uncharacteristic of me to call the Premier a liar, because I know it is unparliamentary as well, Mr Speaker, and you would very quickly bring me up short, so to speak.

An hon member: Shorter.

Mr Faubert: It is very hard to do that.

Mr Villeneuve: The member should not lose any more.

1630

Mr Laughren: Do members in this chamber always have to rise to the bait? Can they not let these things go by from time to time?

While I am not about to call the Premier a liar, there is no question that he made promises in the last election that he has not kept. There is absolutely no question about that. Whether it is in the delivery of health care, in auto insurance, in hospital beds or in a superfund to clean up toxic wastes, there were very serious promises made, and those promises have not been kept. I would think it is going to cost the government dearly in the days to come. The non-confidence motion is primarily a motion of non-confidence because of taxes. That is how I read the non-confidence motion.

Mrs Cunningham: That's right. You got it. You can read. Three times the member for Middlesex read it and he didn't get the message.

The Deputy Speaker: Order, the member for London North.

Mr Laughren: The point is that the government has had massive tax increases but, despite that, does not seem to have delivered the goods. The Progressive Conservative Party has become the spend, spend, spend party in this chamber. Have members noticed that over the last while?

Mrs Cunningham: I didn't do that.

Mr Laughren: No, not the member for London North; I am talking about her party. They are really against tax increases but at the same time always want more money to be spent.

So I can understand why the Conservative non-confidence motion is worded the way it is, because if we talk to people out there across the province, they will express very much what this non-confidence motion expresses; namely, that there have been huge tax increases in the province and yet we seem to be falling

short of delivering programs that people believe they have a right to expect.

As a northern Ontario member and someone who drives back and forth from Sudbury to Toronto quite a bit, I can tell members that there has been no improvement in highways despite five years of this government and despite all its complaining about the condition of highways before it became the government. They have done virtually nothing to turn that around. There have been some very flashy press conferences and statements saying they are going to spend \$5 billion in the greater Toronto area on highway improvements. Announcements—that is what it amounts to.

Mr Faubert: Million.

Mr Laughren: Billion; they have announced they are going to spend \$5 billion.

Mr Fleet: They say it over and over again.

Mr Villeneuve: That is exactly what you do, you keep repeating. They are learning.

The Deputy Speaker: Order, please. The member for Stormont-Dundas-Glengarry and the member for High Park-Swansea and all other members, please obey the standing orders.

Mr Laughren: I must say that I very much appreciate the presence in the chamber this afternoon of the member for Scarborough-Ellesmere. I do wonder, though, if he knows what his opponent is doing as he sits there. The former member, David Warner, is out there knocking on doors as we speak and I can tell members there is going to be another change in the representation from Scarborough-Ellesmere after the next provincial election.

Back to the non-confidence motion—because the member for Scarborough-Ellesmere is not even mentioned in this non-confidence motion, although it would certainly be appropriate if he was—we did some arithmetic on some of the tax increases that have happened since this government came to power. Between 1985 and 1990, the retail sales tax collected per family has increased by \$746. That is a 65% increase in the last five years. The personal income taxes collected per family have increased by \$2,119. That is an increase of 85%; a 65% increase on sales taxes and an 85% increase on personal income taxes. During this period of time, the consumer price index has increased by about 25%, so there is no question there has been a massive tax grab by this government, many times the rate of increase of inflation.

Interjections.

Mr Laughren: I assume those members who are interjecting will be on their feet in the next round, as we take turns in speaking on this, in order to express their views.

I will not repeat myself on the whole question of who is paying taxes in this province, but I think the Treasurer should feel guilty about what he has done to low-income people. It is still a fact that people at the minimum wage in Ontario pay substantial provincial income taxes.

Mr D. R. Cooke: Some 600,000 don't pay any at all.

Mr Laughren: That is correct. Those are people who are truly at the very bottom of the income scale. People at the minimum wage, considerably lower than the poverty level, still pay provincial income taxes to this Treasurer and to this government. At the same time he was collecting money from our poorest citizens, he did not bother taxing any revenue from

citizens in this province—over 1,100 of them—who earned over \$50,000. Some 1,100 well-heeled Ontario citizens, in the latest year available, 1987, who earned over \$50,000 a year paid no income taxes to this province because they were able to avoid them through loopholes. At the same time, do you think there are any loopholes for the lowest income earners? Absolutely none. But over 1,100 of our well-heeled citizens paid no income taxes whatsoever. Those are statistics from Statistics Canada; they are not my statistics.

Mr Polsinelli: Tell us what the loopholes are so we can use them.

Mr Laughren: The incomes of the members in this chamber are much too high to fit into that category.

There is no question that, as always, the people at the higher income have tax avoidance schemes that people at the low and middle income levels will never have unless there is a significant new push for real tax reform. This Treasurer has done nothing on tax reform, absolutely nothing. We do not have a different kind of scheme of taxes here now than we had when the Tories were in power.

There is one thing the Treasurer has done for which I will give him credit, and that is the removal of OHIP premiums. I give the Treasurer full credit for that move. That is something I commend the Treasurer for doing, but what he has not done is bother to reform the tax system so that those who still have the high incomes pay their share and those at the bottom level are removed from the burden of paying provincial taxes. We are talking about our poorest citizens, we are talking about people at the minimum wage, and yet we have seen no effort, really, to do anything about that.

It is not because we have not given the Treasurer options. We have laid before the Treasurer lots of options, ways in which the tax system could be changed without driving away investment from the province, without killing incentive; just a package of tax reform that would make the system fairer. And it would be in keeping with Liberal reform. It would be nothing that would be contradictory to the ideals of the Liberal Party, absolutely nothing. Contradictory to the Conservative Party, yes, but not a Liberal Party.

What really came home in spades to me was that last November I moved a resolution worded as follows, "That this House resolves that given the regressive nature of the federal goods and services tax, this Liberal government will under no circumstances participate in a joint federal-provincial sales tax on goods and services." That was on Tuesday 1 November. As a matter of fact, the government voted against that resolution and said, "No, we can't wait to piggyback our taxes on top of the federal goods and services tax."

Mr Fleet: We didn't say that.

Mr Laughren: That is exactly what they did.

So next 1 January, assuming the sickest joke in Canada, the Senate, allows the goods and services tax to go through, this government is going to be taxing on top of the federal goods and services tax. Just so people understand very well what this government is doing, if something costs \$100 and there is a 7% goods and services tax which will come first, that raises the price to \$107. This government will then apply the provincial sales tax of 8%, not on the \$100 but on the \$107. So this government will be living off the avails of the federal goods and services tax because it will be getting 8% of the 7% that the federal government is imposing.

1640

This government is going to realize additional revenues of over \$500 million by that fact. Do we wonder why the government is pretending to be opposed to the federal goods and services tax? This government is not opposed to the federal goods and services tax at all.

The members opposite are talking out of both sides of their mouths over there. The government is getting \$500 million a year by applying the provincial sales tax on top of the federal goods and services tax, so the Treasurer is laughing all the way to the bank, while he pretends that it is revenue neutral, which is absolute nonsense. He is going to get about \$500 million more than he would have got otherwise.

Members cannot deny that. The Treasurer will say that the manufacturers and the retailers are going to pass the savings on through to the consumer. If the Treasurer believes that, have I got a deal for him on some land down in Florida. It is a bit swampy, but I have a deal for him, because no serious-minded person believes that is going to be passed on to the consumer.

The Treasurer knows in his heart of hearts that he is going to get rich—not personally of course, he does not need it—on the avails of the federal goods and services tax. Otherwise, the Treasurer could have said, “We are not going to support the federal goods and services tax.” British Columbia is doing that, as I understand it. They are saying, “No, we are not going to be part of this regressive tax grab.” British Columbia said no. They do not believe in putting that tax on top of the other tax. That is a way of saying to the federal government, “We feel strongly in opposition to your goods and services tax.”

But this government is not opposed in principle to the federal goods and services tax. How could a government that raised its goods and services tax from 7% to 8% be opposed to a 7% level by the federal government? This government has a goods and services tax, only it calls it an Ontario retail sales tax. It is the same thing, a different variety of goods. It is just that the base is different.

Mr Fleet: It is not the same.

The Deputy Speaker: The member for High Park-Swansea, please.

Mr Laughren: It is a broader range of goods than the federal goods and services tax. I understand that, but it is the same principle. It is on the retail price of the goods and, in some cases, services. So there is no question what is happening.

Now the federal government is doing it. I understand why the federal government is doing it. That is a very Conservative philosophy. It is not a willy-nilly philosophy by the federal Conservative government. They had a very clear program, a very clear Conservative program. They had deregulation, they had privatization, they had tax reform and they had free trade—four really, truly Conservative philosophies that the Mulroney government has implemented.

I understand that. I only wish that the Liberal government had a Liberal agenda. It does not have a Liberal agenda. It has done one thing, which I gave the Treasurer credit for a few minutes ago; namely, it has abolished OHIP premiums. I think that is part of a Liberal program, but the government stopped dead in its tracks at that point. Why did it not move on and continue with a package of Liberal reform?

I think most Ontario citizens realize that after the accord between the Liberals and the New Democratic Party ended in 1987, progressive reform ground to a dramatic halt when this government got its majority. There is no question about that. I

do not think anybody would seriously argue about that, that there has been an enormous change since the 1987 election when this government got its majority.

I hope after the election that is going to come within the next year or so that will not be the case. I mean, I fantasize about a majority NDP government, but if that is not immediately achievable, then perhaps at least—

Hon R. F. Nixon: As you get older, your fantasies become more important.

Mr Brandt: And more vivid.

Mr Laughren: It sustained me, as a matter of fact.

The fact is that at least at all costs we must avoid a majority government by this government in the next election. I hope that people in Ontario will understand that.

I do not want to go on any longer, other than to—

[Applause]

Mr Mackenzie: Keep it up.

Mr Laughren: I have been provoked into continuing a little longer.

I notice that there were some expressions of incredulity when I was talking about this government's position on the goods and services tax. Perhaps members will recall some of the quotes by the Treasurer on the goods and services tax. His memory is not as good as it used to be either and I want to remind him of some things he said. I will do it in chronological order, so we will see how his mind flips back and forth.

On 8 January of this year, the Treasurer said, “Ontario still does not support the controversial goods and services tax but is willing to collect it from retailers for the federal government.” Willing to collect it. That was on 8 January.

The very next day, 9 January, the Treasurer said, “The Ontario government is willing to help collect some, but not all, of the federal goods and services tax.”

On 27 March, the same Treasurer said: “Ontario will not help the federal government collect its proposed goods and services tax.” He would not do it. That was 27 March.

Then on 4 April the Treasurer said, and this is from Canada's national newspaper, “The province is willing to assist the federal government by collecting the portion of the GST that will be levied at the point of retail sale where the provincial tax is already imposed,” presumably because that is the only place that you can piggyback on the goods and services tax. That is what I mean by living off the avails of the GST.

So the Treasurer says, “I will only collect the GST where I can make some money off it.” That is what he is saying. “If the provincial tax applies, I'll help collect the federal GST because I can make money off it then.”

Interjections.

Mr Laughren: That is exactly what the Treasurer is saying. That is exactly what he is saying.

Mr Speaker, how would you interpret this: “The province is willing to assist the federal government by collecting the portion of the GST that would be levied at the point of sale where the provincial tax is already imposed?” He is only willing to do it where he can make some money off it.

There is a man of fiscal conviction. He is only willing to collect a tax where he can make some money off it as well. When he can really stick it to the taxpayer, that is when he will be part of the program. That is what he is saying.

Interjections.

The Deputy Speaker: Order, please.

Mr Laughren: I must say that I have almost nothing in common with the Progressive Conservative Party in this province. At the same time, I understand why they have brought forth this non-confidence motion. I do not want to be parochial this afternoon, but I can tell members to come to northern Ontario and tell people that their taxes have increased by this amount and they will say, "Where have they spent it?" Because if you look at the forests, you do not see the improvement in the way our forests are being managed. You do not see improvement in highways in northern Ontario. You do not see the kind of improvements that you think these kind of tax increases would deliver. It is just not there. So I can see why the Conservative Party would bring forth this non-confidence resolution and I have no hesitation, Mr Speaker, in indicating to you—I know you will keep it in confidence—that we intend to support this non-confidence motion.

Mr Brandt: I am glad the member for Nickel Belt is going to keep this quiet, because we too want it to be kept quiet that he is supporting our motion and we will not spread the news. If he in fact agrees to keep it under his belt, I will assure him of the same kind of confidence on our side of the House. We will do our best to make sure that confidentiality is maintained.

We have had this discussion in this House on many other occasions, and basically what it comes down to is the method by which the Treasurer of Ontario has decided to tax the people of this province. The rate of increase that we are experiencing with respect to taxation—and we look, as members of an opposition party, on whether or not there is a concomitant increase in the level and the quality of services that are provided by the government. It is passing strange when we take a look at a budget which has increased by quantum leaps, on an annualized basis of over 10% annually, and this is not even an arguable point any more with the Treasurer of Ontario.

1650

There is no province in this entire country raising taxes as rapidly as the Treasurer of this province. No other province is raising taxes that rapidly. That should give us some message. That should tell us that there is something going on here which either the Liberal government of the day thinks is something to be particularly proud of or, in the case of we as Conservatives, says this government is out of control financially.

When I take a look at the responses of the various ministers daily in question period, it appears that the only kind of credit they want to take is not for improving services, not for making this province a better place to live in, but in fact they stand up proudly time after time, day after day, with statement after statement, saying: "We spent more money. Aren't you just so very, very delighted with that, Mr Taxpayer?"

Maybe I am talking to different taxpayers from those some of the members in the government are talking to, but many I have talked to are completely and totally fed up with the spending practices of this government. Let me give a couple of examples.

When the government took office in 1985 there was a debt accumulated by previous governments, of which I was a part, in total, through the history of this province, of \$30 billion. Through the five years of the most rapid increases in revenues—I separate that, for those who may be listening or watching today, from taxation; I am talking about built-in revenues, not tax increases—this government increased the net

deficit of the province of Ontario by fully 25%, an additional \$10 billion.

At a time when it should have been bringing the net debt down, what it did was to increase the debt. The fact of the matter is that we have to look at realistic spending in terms of what is affordable on the part of the taxpayer.

Let me give an example of what I find particularly offensive. In 1986 they stood before the people of this province and indicated what they were going to do with health services. They said they were inadequate; the miserly former government had not provided adequate beds in this province and they were going to correct all those problems. I will tell them what they did. They promised 4,400 beds. With all these tax increases, how do they not find this totally unconscionable when they look at themselves in the mirror, when they wake up to shave in the morning? I have to tell them that they have reduced the number of hospital beds in Ontario by some 2,000.

Mr D. R. Cooke: We are caring for people at home.

Mr Brandt: You are not looking after people at home. The waiting lists for orthopaedic surgery, the waiting lists for children's services, the waiting lists for heart surgery are the longest, Mr Speaker, as I address my remarks to you—

The Deputy Speaker: And ignore the interjections, which will not be forthcoming any more during any other member's speech. The member for Sarnia may continue addressing the Speaker.

Mr Brandt: They are the longest waiting lists there have been in the history of this province.

In fact 4,400 beds was the commitment that was made by the government. They have not fulfilled that promise. Quite obviously, not only have they not fulfilled that commitment but they turned around and cut hospital beds and increased taxes.

I want to dissociate myself from the official opposition, Mr Speaker, as I address my remarks to you, when I indicate that our party remains and will continue to remain adamantly opposed to the employer health levy. The misleading statements with respect to what has happened to that particular tax I find offensive personally and as someone who serves in this Legislative Assembly.

Not only has this tax not been removed as the Treasurer suggests—the OHIP fees—but they have simply been transferred in an entirely different way, which gives the gentleman with the longest arms in this entire province the ability to reach into the taxpayer's pocket for another \$500 million to \$600 million. He did not say he was going to do that. What he said was, "We're going to shift the OHIP premiums away from individuals and we're going to put it on the backs of those corporations which can afford whatever we place on their backs."

Now, as he watches layoffs occur, he blames it sometimes on free trade and sometimes on the slowdown in the auto sales. He blames it on international competition. He blames it on everything except taking a look at his own books.

Hon R. F. Nixon: He blames it on the federal interest rates.

Mr Brandt: He blames it on the federal government—a federal government, I have to say, that has had some very, very modest spending increases; approximately one third of the rate of increase that this Treasurer has increased his expenditures. Yet he gets away with it, this Treasurer who back in the mid-1970s indicated that an increase in sales tax was inflationary, that it was going to slow the economy down. An increase in the sales tax, he said, was just absolutely wrong. When he came

along with an increase in sales taxes to raise another billion dollars, that was good for the economy.

How they can go through that kind of convoluted economic thinking absolutely defies rational reasoning. They takes more and more out of the economy and they think it is a bottomless pit. I will tell them what they should start paying attention to, and that is something called good management, administration of resources, taking a look at ways of delivering programs and policies more efficiently and taking a look at making government provide these programs in an affordable fashion. That is what this government has to start looking at.

What they are doing now is trying for the usual Liberal solution to every problem—more money. That kind of an approach is what got the federal government under Pierre Elliott Trudeau into the most difficult financial mess this country has ever seen. Whatever happens at the federal level, whatever happens after the next election, if there is not a GST there is going to be something else. There is going to be a freeze in provincial transfer payments. There will be a cutback in programs.

I do not care if one of the apostles led a federal party in the next election; he is going to have to come to grips with the most grinding financial problems this country has ever seen, because of the legacy of debt that was left by a former Prime Minister who paid no attention whatever to the economic realities of the day. We are the second most indebted nation in the world at the moment in terms of international debt. This Treasurer and this government are leading the way with irresponsible spending.

I am glad we have a fresh Speaker in the chair because I am just getting wound up. That fact of the matter is that there has to be some kind of control placed on the spending. I believe the Treasurer to be a reasonably honest man under most circumstances. I say to him by way of appeal that realistic tax increases are not something we would find particularly objectionable on this side of the House. What we find objectionable is when tax increases are running at double the rate of inflation.

That is wrong. That is what my leader's motion speaks to and what he is bringing to the attention of this government, that it has done two things we find offensive: it has substantially increased taxes and at the same time has performed what is almost the impossible; it has started in a very direct way to reduce service. Increase taxes; reduce services. If that is the legacy this government wants to leave for the people of this province, I say, "Shame on you."

1700

Mr Adams: What an extraordinary motion from a party that had 42 years to do something with this province. Listening to the former interim leader of that party, it is my view that the people in the third party cannot recognize competent, caring government when they see it.

Mr Speaker, as I know you realize, a good government has to be both caring and competent.

Mr Polsinelli: The Speaker knows it.

Mr Adams: Mr Speaker, I know you do.

If a government is simply caring without being competent, in the long run those in need suffer. If a government is simply competent without being caring, it is a government which is of no interest to someone like myself who was elected to do something for the people of this province.

One of the things I care about tremendously—as, I believe, does everyone on this side of the House—is our environment. I care about the environment, but my interest as a member of the

government is to do something competently about the concerns that I have.

This extraordinary motion from this party mentions the environment. Do members realize that this party that governed the province of Ontario for 42 years reduced the budget of the Ministry of the Environment in its last year in office? That was only five short years ago. Think of the vision. Think of the forecasting ability. Think of the sensitivity of a government that only five years ago could reduce the budget of the Ministry of the Environment. They missed the phenomenon of our generation. They missed the fact that everyone on the globe had come to realize there is an extraordinary environmental crisis. They missed the fact that the vast majority of people had come to realize that fact and wanted something done about it.

Five years ago the party that is presenting this motion today reduced the budget of the Ministry of the Environment, and today it can stand up with a motion that criticizes this government and mentions the environment in that criticism. They missed even the fact that there was anything wrong with the environment. They reduced the budget of the Ministry of the Environment. They had no desire at that time to do anything about the environment.

Now they attempt to criticize us, a government that in a few short years has shown not only provincial leadership but national leadership, continental leadership and I believe global leadership in the area of the environment. We are talking here not about 42 years in government, decades to do something about it, but a few short years in power.

Let's take the area of waste management, one of the most important concerns around the province. Who would have thought—certainly not people in that party—a few years ago that two million households in the province of Ontario would be using the blue box for recycling a variety of products this year, that the blue box would be diverting 250,000 tons of usable waste from the waste stream into useful functions? Who would have thought five years ago when that government was in power that we would be at a stage where quite soon every school board in the province would have its own school-based recycling program?

In my own riding we began student action for recycling in the fall. We have already in the riding a special program for recycling special plastics, and our schools are moving into a recycling, recycling, recycling program for fine paper so that this paper can be used over and over again in our system.

For recycling alone, this government is doubling the budget. That government over there reduced the budget for the entire Ministry of the Environment in the last year it was in power.

Think, in that area, how the government through the Ministry of Government Services is moving to use its own procurement powers to effect recycling-reuse at the government of Ontario level. That is the area of waste management.

Think, Mr Speaker—I know it is of great interest to you because your riding is very close to Lake Ontario—of what this government has done in the area of water. As members earlier today heard, the leader of the official opposition described the municipal-industrial strategy for abatement program as a jewel in the crown of the government of Ontario, and that is what it is. The MISA program is the program which will result in zero discharge of toxics into the waters of the province of Ontario. Already we have taken all nine main industrial sectors and we have monitored their discharges; now we begin to control and reduce those discharges of over 200 dangerous chemicals going into our waters.

This year we spent \$200 million on cleaning up the Great Lakes alone. The federal government, where that party is in power—we are spending \$200 million; they are spending \$11 million. We can see some results, because we can eat more and larger salmon and trout from Lake Ontario, as members know.

Quite briefly, in terms of air, we have banned apartment incinerators. We were one of the first major governments in the world to ban CFCs, which were affecting the ozone layer. We have introduced low-smog, ozone-free summer gasoline. Our Countdown Acid Rain program is reducing acid emissions by 60% within two years, which, by the way, we believe has influenced the United States in that area.

Members will notice that I have not mentioned the Rouge. I have not mentioned the class environmental assessment for forest management on crown lands in Ontario. I have not mentioned Trees Ontario and many other things.

This is an extraordinary motion from any point of view. From the point of view of the Ministry of the Environment and our environmental concerns, it is simply beyond belief.

Mr Charlton: Like my colleague the member for Nickel Belt, I rise to support this non-confidence motion this afternoon and pick up on a couple of comments that have been made by government speakers so far in the debate. I think they very aptly reflect how I feel about the government's response to the things it promised to the people of Ontario and its failure to explain, even in those areas where it has not proceeded at all, precisely why it has not proceeded.

The member for Middlesex in his comments earlier got up and chastised the member for London North for the fact that in her comments many of the things she mentioned were not specifically set out in this non-confidence motion. The reality is that if either of the opposition parties on this side of the House listed all the things that should be listed in a non-confidence motion against this government, we would have seriously hampered the printing bills of this assembly by the amount of paper that would have been used.

That brings me to some of the points that the member for Peterborough just made in this debate. He made comments that focused almost entirely on the environment, and his comments are the very reason why this government has made a laughing stock of environmental protection and environmental cleanup in the province of Ontario. His comments not only are not correct, but he may have inadvertently misinformed the people of this province.

He suggested, for example, that this government was the first government to ban CFCs, and this government has not banned CFCs. Not only has it not banned CFCs, but it just made an announcement six weeks ago which substantially weakened the regulation that was already in place. They extended the phase 1 term by a year and a half in terms of the phase-down of CFC use and they totally failed to define phase 2 at all. Phase 2 for the elimination—or the banning, as the member for Peterborough likes to refer to it—is undefined, untimed and likely will never happen, because what the minister said in his statement was that phase 2 will not be defined until industry comes to the government and tells it it has the alternatives already in place.

1710

An hon member: Don't be so negative.

Mr Charlton: You have to be negative when you hear statements like that.

Let's just talk about the environment for a few more minutes. I recall when the member who is presently the Minister of Financial Institutions was the opposition Environment critic and I recall when that gentleman stood in his place in this House, along with myself, and demanded that there be an environmental defence and cleanup fund in the province of Ontario, a fund which this party promised in 1985 and in 1987 in the election campaigns. That member, the Minister of Financial Institutions, demanded that that fund be set up and be allowed to be used by communities like Hamilton to clean up filthy, toxic, leaking landfill sites like the Upper Ottawa Street dump.

That member no longer raises issues like that in this House. This government has not proceeded with its promise to create an environmental defence and cleanup fund, and the Upper Ottawa Street landfill site, a site which received some 30 years of toxic industrial wastes, albeit slow, is leaking those toxics into the water table and those toxics slowly, gradually make their way to Lake Ontario.

The member for Peterborough talked about environmental standards that are cleaning up our waterways. Well, there may be some substances from industrial processes which are reduced, but this government has done nothing to deal with very serious contamination that when it was in opposition was a major issue.

I recall when the man who is now the Premier, the member for London Centre, stood in his place as Leader of the Opposition and promised that the Puzé landfill site would be closed and cleaned up in Tiny township. Once this party became the government, though, Tiny township and the Puzé landfill site continued, as they always had under the former administration, with no action for closing and no action for cleanup, and that landfill site continues to leak.

It does not matter what you want to talk about. It does not matter whether the specific item is listed in this motion of non-confidence, there are specific things that this government promised, things which it has not even made an attempt to implement, and yet it sits there and denies that it has broken a promise.

The people who are the electors in Ontario, the people who elected this government, expect that promises get kept or that the government stands up forthrightly and explains why it made a mistake and why it is unable to implement the promise it made. The people expect as well that everything that gets promised cannot happen the day after the election is over. But most certainly the people expect that you do the things you promise before you call the next election, especially when you have a massive majority like this government has.

This government has obviously no intention of proceeding in a number of areas.

Last weekend I watched the Liberal convention on television. The member for Peterborough in his comments was talking about paper recycling, again another perfect example of how this government has made a laughing stock out of environmental protection. Yes, recycling paper is good, useful and important, but not recycling more paper than what you need to use in the first place, not using paper for the sake of creating recycling programs. Let's decide how much paper it is really necessary and useful to use and then recycle what we have used.

But I heard commentators out at the Liberal convention—while I sat and watched the Treasurer's Cheshire smiles, sitting behind the victorious candidate; in fact, that smile did not change for the entire weekend—I heard commentators at that convention saying: "This convention is unbelievable. Have you seen the amount of junk on the floor that this convention is

using that is unnecessary?" It is a reflection of overexpenditure on campaigns, all the little toys the candidates were playing with, all of which is now garbage and has to be recycled when it never in fact should have been created in the first place because it was an environmental waste.

That is a reflection of this government's commitment to understanding the environment and understanding what we need to do in this province to clean up the environment and to protect it for the future. The tree that still stands is just as important as the paper we recycle, and the tree that still stands does not stand very long when you use two, three or four times as much paper as you need to use.

As I said at the outset of my comments, I support this motion of non-confidence and I think most of my colleagues will as well.

The Acting Speaker (Mr Cureatz): If memory serves me correctly, we are on time allocation, so we still have a minute and 30 seconds left for the official opposition.

Hon Mr Nixon: No. That's just NDP time you're looking at.

The Acting Speaker: Then is there unanimous agreement that the minute and 30 seconds will be added to the leader of the third party?

Agreed to.

The Acting Speaker: Continuing now with the motion of non-confidence under standing order 42(a), the leader of the third party, the member for Nipissing.

Interjections.

The Acting Speaker: I am sorry. The Clerk will sort it all out. You have a minute and a half given by the official opposition, and they will get up on the clock what the third party's time is.

Interjections.

Mr Harris: Are you finished?

The Acting Speaker: Order. In theory, we should be going in rotation, that is all.

Mr Harris: I appreciate the theory, but since time allocation is my motion, I understood that I would be able to speak last, and I think that is agreed by everybody. I am prepared to go now if I am the last speaker.

Hon R. F. Nixon: And that's agreed. That's no problem.

Mr Harris: Yes, but they should have a new speaker.

The Acting Speaker: I am easy to get along with. The member for Halton North.

Mr Elliot: I am pleased to be able to speak today on this important motion. The motion allows us to read into the record the long list of accomplishments of this government.

As the parliamentary assistant to the Minister of Housing for the past year, I have been most impressed with the dedication and effectiveness of the ministry's staff as we attempt to meet our objectives as a government.

In the area of affordable rental units mentioned in the motion, significant progress has been made. In my mind, the best way of factually establishing this progress is to comment on the specific allocations now in place. These figures are as of April 1990 and are updated every three months, so they will be updated again at the end of July: Federal-provincial sharing non-profit, 25,759 units; provincial non-profit, 4,004 units; Project

3000, 3,021 units; convert-to-rent units, 9,144; home sharing, 3,198; rent geared to income, 3,760; private sector provincial rental supplement, 4,398; rural and native rental units, federal-provincial sharing, 1,119. The total of these eight programs and others is 58,295. These are all new rental units.

1720

In existing units, 20,056 low-rise units have been rehabilitated by small landlords. Another 12,000 units have been renewed under the Ontario home renewal program. Of particular significance, another 1,699 units have been renewed for occupancy by disabled persons. A relatively small but exciting renewal program has put 220 units in place through the Frontiers Foundation northern region repair program. This totals 33,975 units.

Combined with the new allocations, we have a grand total of 92,270 units. This total excluded the Homes Now project, which is an additional 30,000 units; 28,350 of these units have already been allocated.

If time would permit I would be pleased to read into the record completion figures where they apply. Significant progress is being made on this important aspect of housing, affordable rental units. This is being recognized more and more by citizens of Ontario as exemplified by the press and others. Just yesterday Michele Landsberg wrote a pertinent column regarding home sharing. In her second-last paragraph she said, "In the past year, the provincially funded home-sharing agencies have matched hundreds of people, mostly young singles and seniors who need company."

As my minister has said on numerous occasions in this chamber, we must meet the challenges of housing in new ways. We must innovate. We are doing this and it is working. In this year's budget the Housing ministry's budget increased by 26%. In real dollars that is \$136 million.

In conclusion, Ontario helped to build more non-profit housing than any other province in Canada. Ontario is the only province to build housing without assistance from the federal government. Ontario is facing a 15% cut in the federal contribution to those programs that are cost-shared. Ontario's spending on social housing has increased from \$200 million in 1986 to \$350 million today, and it is projected to rise to \$1 billion annually by 1994.

Over the next three years we will be adding another 100,000 people to the list of persons being helped by government-assisted housing. This will bring the total to 600,000 people being helped by the government of Ontario. To put this in perspective, these 600,000 people represent a city the approximate size of the entire city of Toronto.

I will be voting against this motion because I think it does not accurately reflect what is happening out there today.

Hon R. F. Nixon: I am glad to have a chance to respond to some of the comments made by the honourable members on this no-confidence motion. I was impressed that the leader of the third party, who presented this motion, had come in for a few moments. When I rose to speak he disappeared, so I knew he could not really take the arguments that I was going to present to him. Now that he has seen that I am speaking he has come back in with two very large books in which he thinks he will find the answers to all these arguments.

Actually I was quite impressed when the almost leader, the deputy leader, the honourable member for London North, led off the debate. But she, just like I, experienced the same thing. As soon as she got up to speak everybody left. During the first part of this no-confidence debate members may have noticed

that she was all alone, the only Progressive Conservative in the whole House. I wondered what sort of division there was in that house, particularly since the PCs have considered this such an important debate.

I would tell members that during the bad old days when the PCs were the government here and I and my good friends and colleagues were in opposition, those were the days when we had effective no-confidence debates. That was when the arguments would hit home, because the old PC government was so vulnerable that there was no way it could defend itself. It resulted, as the honourable members would know, with the defeat of that government and its replacement by the Liberal administration that is doing so much good in the province at the present time.

A good many of these areas of criticism hit home, because as Treasurer I have recommended tax increases and I have been very glad to see that a large majority in the Legislature have supported those increases. It is sometimes politically difficult to raise taxes, but the honourable members would know that we have improved and increased our programs substantially and are paying our bills as we go along. Some members have heard me refer previously to the fact that last year our budget was balanced for the first time in more than 20 years. This year we have a further balanced budget before us and we are expecting a surplus in the range of \$30 million this year. Many of the taxpayers are glad to know that in this budget this year, for the first time since 1948, we have actually reduced the overall debt of the province by \$430 million.

The honourable member has pointed out, and it is correct, that the debt increased to \$40 billion. When we took office just five short years ago, the deficit that year was \$3 billion. We worked hard to reduce it and got it down to \$2.6 billion. All those deficits, however, are added to the overall debt. So it took us four years of careful fostering of the economy, carefully adjusting our tax base so that we improved and in fact achieved fairness and equity and at the same time carefully controlling the expenditures of the administration. The people realized that this combination permitted us, and permitted me as Treasurer, to gradually reduce the deficit until now it is at zero and we have the surplus that I previously referred to.

I would be less than fair if I did not also bring to the members' attention that during this period of time our economy has been growing by an average of about 4.9% a year, just under 5%. While I would be glad to take personal credit for that, I do not even have the nerve to try before my erudite colleagues in the Liberal Party, although I could probably get it past the critics in the two opposition parties. We have been fortunate, there is no doubt about that, in the strength of the economy and it is reflected in the fortunate position that we are presently enjoying.

During that time, we have also taken off the roll of personal income taxpayers 625,000 low-income citizens in the province. Personally, I feel that while this is a program that I support and am very proud of, I am much more proud of the fact that we have created over 400,000 new jobs in the province and that because of this economic development we have the lowest unemployment rates in the whole of Canada. That is surely far better than trying to give out some sort of assistance for those people, unfortunately, whose revenues are not sufficient to support them and their families in an appropriate style. But there has to be a balance, and we have achieved that balance in the way that I have described.

Mr Laughren: What about working people?

Hon R. F. Nixon: The honourable members are aware that we also have programs that are assisting less fortunate people in the community. The budget critic of the NDP said, "What about old people?"

Mr Laughren: I didn't say that.

Hon R. F. Nixon: If he is going to interject so that I do not understand him, perhaps he should speak up. The only lips I can read are George Bush's and I do not like what he is saying.

These reductions in the taxes payable by virtue of the sales tax and property tax grants are really a program that costs the taxpayers in general \$900 million of assistance. I say again that it is much preferable, from my point of view, to see that our economy is growing at a rate which will provide proper employment for all of our people, particularly our young people who come out of our education system and are looking for opportunities to see that they are able to pay their own way and that they are able to move into areas of family responsibility. In so doing, this budget established quite a substantial increase in our current cost allowance, which is designed to improve opportunities for investment here and to actually create jobs.

1730

Mr Laughren: No evidence of that.

Hon R. F. Nixon: The poor old socialists in the official opposition are always so concerned when public resources are used to encourage world investment in our own community. They feel that somehow or other if the government is not operating all these things, there is something unfair or fraudulent about it. I think most of the people of the province realize that our livelihood and the revenues which we use to build roads and bridges, the tax dollars that are used for education and health care, the resources we use to improve the environment, all come from an economy that is based on the private enterprise concept. This is something the socialists find offensive. You would think they would learn. Would you not think they would stop beating that old straw man around and trying to say that the bogymen of the community are running away with the tax dollars?

I do not believe that is so at all. We have a balanced tax base. As a matter of fact, the amount of taxes paid by corporations is growing in percentage share of the overall tax base faster than that payable by individuals. So I think it is necessary that rational and reasonable members, particularly those who are in possession of at least some of the facts, would stop saying that is not true and agree with me.

Since there are about four minutes left in the time allotted to me, I just want to say something about a debate like this. It gives us a good opportunity to respond to criticism and perhaps bring forward some other ideas, but it is a chance for me to say this as we approach the end of this session: I think non-confidence motions are worth while. I think the hour of unfettered questions every day is worth while. I believe our rules make every member of this House have a clear opportunity to express his or her views on the issues of the day. But the thing I do regret is that public business has been so hampered and distorted and hindered, particularly by the official opposition, during the last few months.

The members of the Legislature must understand that while the rules safeguard each of us as individuals and our proper right to put forward our views of the issues of the day, they must accept the fact that the government has the responsibility and an equal right to present its program, have it properly debated and disposed of by the members of the Legislature. I

am just telling you, Mr Speaker, that the distortion of these rules, particularly by the official opposition, during the last few months has meant that the government program has not adequately been debated in this House, and I regret that very much indeed. There are many initiatives which should have come forward that have been left on the shelf as we listened to hour after hour of repetitious gobbledygook, prepared usually by some flacks hired by the official opposition at public expense. It just seems to be such a non-productive merry-go-round.

I know the official opposition will accept my advice when I suggest to them that they should mend their ways. There are many opportunities day by day to see that opposition views are properly put forward. The honourable member for Hamilton Mountain, in his usual erudite style, has expressed his opinion, and so we may have to go to the electorate to correct this particular anomaly that seems to have interfered with the proper working of the public business in this particular House.

I would say that the resolution put forward by the leader of the third party is doomed to failure. I see that his persuasive powers have not yet been used on the House as a whole, but it may be that even those will not be sufficient to win the day. However, the New Democrats, who are very easily persuaded, have indicated that they will support this non-confidence resolution. There is a feeling on our side that perhaps a few of us should vote for it so that we could perhaps go to the people earlier than some time in the next two years and settle some of these matters, because there are many issues, if we are going to continue conducting the public business, where a consultation with the taxpayers and the people of the province becomes more and more desirable.

I do not know what is in the mind of the head of the government, but members know that he has indicated clearly that while we have accomplished great things, and some of them have been acknowledged by the official opposition, such as the abolition of medicare premiums—I appreciate that the member for Nickel Belt has this magnanimity of spirit that once every five years allows him to say something like that—but we look forward to this.

I am delighted now to resume my seat and hear what the author of the resolution might like to say.

Mr Harris: I was astounded that the Treasurer talked about the rules of this House when it was his government, with all its seats, which blocked the 12 hours that the two opposition parties were entitled to have this session to investigate the problems we wanted to look at. They stifled them and blocked them.

There is no denying that public cynicism about politicians, politics and the political process is currently at a very high level. This cynicism is a fact which cannot be a great source of comfort or pride to any member of this assembly, even the member for York Mills, who cannot keep his yap shut.

No doubt there are any number of complex reasons why the public has become so disillusioned with politics and the political process. While I will leave the job of sorting them out to the sociologists and the political scientists, I submit that the motion before us today highlights one of the causes of public disenchantment at least here in Ontario.

The motion addresses the record of the provincial Liberal government in Ontario, and any citizen reviewing that record would be forced, I believe, to draw two conclusions: first, that the Peterson Liberal government is an institution that he can no longer trust; second, that the Peterson Liberal government is an institution that he can no longer afford.

With regard to the issue of trust, I think it is fair to say we have reached the point where we will have to organize a search party to find this government's credibility. It has vanished into that twilight zone which separates the rhetoric of Liberal promises from the reality of Liberal performance, which separates the glowing public relations of the quick headline from the dismal public policy record of incompetence and complacency.

Also lost are any number of promises and commitments which this government made, one hopes in good faith, to the people of Ontario. I am assuming that they were made in good faith and with intentions that transcended a simple desire to buy votes. I trust this was the case and I can therefore conclude that their failure to deliver on so many promises and commitments has been caused by ineptitude. I am willing to grant that they are simply incompetent and not duplicitous.

The motion itself mentions a number of these forgotten or discarded commitments and promises. There are a large number of others which have been discussed in the course of this debate and which have been raised at other times in this assembly. I do not want to review them in detail. I am sure the government members are familiar with a laundry list of lost Liberal pledges and I can assure them that they will be hearing more about them over the coming months.

I am sure they do appreciate, however, the corrosive effect that their failure to deliver on these commitments has on public confidence in government institutions. I know they realize that when the public and the workers who trust him in particular see the Premier take a dive on his promise to block the free trade deal, they are justified in thinking that the people opposite will say anything as long as it nets a vote.

People who believed the Premier when he said he had a very specific plan to lower insurance rates are justifiably disappointed when it turns out that after two tries he came up with a plan to increase rates. The only thing that was reduced was taxes and compensation payments by insurance companies and the level of benefits to innocent victims.

I know even Liberals cannot be so clued out as to think that when they say they will not complete a nuclear power plant or they have no intention of changing Sunday shopping laws and then turn around and do the exact opposite, that does not put some strain on their own credibility.

1740

No one who has watched the parade of cabinet resignations for reason of conflict or bad judgement or who watched this government hide behind the robes of the Supreme Court rather than face up to questions about government responsibility in the Starr affair can be expected to accept the Premier's prattle about open government, about the need to get all the facts, about competent administration as being anything other than self-serving eyewash.

No one held a gun to the Premier's head and forced him to promise to block the free trade deal or to say that he had a specific plan to lower insurance rates, that they would build a high school of science and technology in northern Ontario, that they would increase the province's share of the education cost to 60% or that they would build more affordable housing units.

No one was bullying the Premier into making these commitments on behalf of his party and his government, so the big question is, assuming they were made in good faith, why have they not been delivered? Why did the Premier write cheques with his mouth on the campaign trail that he has not cashed while in government? I will let the members opposite mount

their own defence, but I would note that it was certainly not a lack of money.

As indicated in the motion, our friend the Treasurer is a man who has never met a tax he did not like or try to hike. In point of fact, I believe he has hiked them all by now and some of them more than once. I know that a lot of people in this province and this country are upset with the tax policies of the federal government, but I have to say that Mr Wilson is in the taxation minor leagues in comparison to our very own Bob "Tax the Ripper" Nixon.

For example, Mr Speaker, you will be excited to learn that in the current fiscal year the federal government will collect 69.5% more in tax revenues than it did in 1984-85, most of it to repay the debt. An impressive number, but mere chicken feed compared to the 132.4% increase in tax revenues engineered over that same period of time by the old "Tax the Dragon" from St George.

Further, Mr Speaker, you will be fascinated to be advised that since 1984-85 the per capita tax burden across Canada has increased by 63%. No wonder people are upset. I understand that. But in Ontario the per capita tax burden has increased by 112% at a time when our own personal income has increased by only 50%. Whatever the reason for the Liberal government's failure to deliver on its commitments, it certainly has not been because of a shortage of cash.

Having watched this government for five years now, I am beginning to see that its tendency to make promises it does not keep, its practice of constantly increasing taxes, has a common foundation in its flawed concept of leadership. The Premier, I suggest, is willing to stand for anything he thinks people will fall for. To do this, he keeps his ear close to the ground, so close that he seldom takes the time to look up and see where the province is headed or to see where it will end up in the long term as a result of its policies.

Regardless of the substance of an issue, the government resorts to an ad hoc response that is designed to provide symptomatic relief. This might serve to reduce political irritation in the near term, but it leaves the underlying causes of the problem unaddressed and in the longer run can have unattended consequences which actually make the implementation of a lasting solution that much more difficult. This approach gives us a government fixated on the short term and dedicated to avoiding tough decisions.

By way of example, we have seen this government refuse to make the hard choices necessary to live within a responsible fiscal framework. Instead, it has constantly expanded its revenues, and rather than have to say no to any program, to any policy or to any group, it could continue to pretend that it is all things to all people.

Someone once defined leadership as the ability to recognize a problem before it becomes an emergency. We have not seen that type of leadership from this government, which thinks more about its partisan interests in the next election than it does about the real interests of the next generation.

We have seen the direct opposite. We have a government which responds only when something becomes an emergency. For example, the government levied a tire tax to support recycling, but it did not make even a modest effort to ensure that the funds collected under that levy were dedicated to the appropriate programs until millions of tires went up in smoke in Hagersville.

Similarly, the government has been told time and time again in this House that there is a serious problem with hospital funding. They quite happily ignore it until we have

a crisis situation with a major hospital a few blocks from the Legislature. We are still waiting for a long-term strategy to guarantee that the people of this province will have future access to quality, effective health care.

Even in the case where the government does appear to have some type of long-term plan, for example, a major capital program it announced and promised to expand the number of beds—that was before the last election—after the election it abandoned that plan and we had a net reduction in beds.

That is not the type of leadership which gives either this House or the people of this province any confidence in the ability of this government to meet the challenges of the 1990s. There is no reason to have confidence in a government which, in spite of billions of dollars of new taxes, has broken faith on so many fronts with the people who put it into office. There is no reason to have confidence in a government in which so many ministers have demonstrated judgement of such questionable quality that they have had to resign their portfolios. There is no reason to have confidence in a government which is overseeing the deterioration of Ontario's health care system and which has turned its back on the government's commitment to education.

Given its record, this government does not deserve that confidence of the people. It does not deserve that confidence of the members of this Legislature. I encourage all members to vote accordingly, not to the rhetoric, not to the headlines, not to the press releases, but to vote according to the record, the promises not kept, the tax increases imposed on this province out of sync with every other province, with virtually every other jurisdiction in the world, which are contributing to our lack of competitiveness and to our future deterioration throughout the 1990s. I encourage even those opposite to join us in this vote of non-confidence.

1750

The House divided on Mr Harris's motion, which was negatived on the following vote:

Ayes—22

Allen, Brandt, Bryden, Charlton, Cooke, D. S., Cousens, Cunningham, Grier, Harris, Jackson, Johnson, J. M., Johnston, R. F., Laughren, Mackenzie, Marland, Martel, McLean, Morin-Strom, Philip, E., Pollock, Sterling, Villeneuve.

Nays—52

Ballinger, Beer, Black, Bossy, Brown, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Cleary, Collins, Cooke, D. R., Cordiano, Curling, Daigeler, Dietsch, Elliot, Elston, Epp, Faubert, Fleet, Fontaine, Fulton, Furlong, Haggerty, Hart, Kanter, Kerrio, Keyes, Kozyra, LeBourdais, Leone, Lupusella;

Mahoney, Miller, Morin, Neumann, Nixon, J. B., Nixon, R. F., Polsinelli, Poole, Reyecraft, Riddell, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Sweeney, Tatham.

INTERIM SUPPLY

Mr R. F. Nixon moved resolution 33:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing 1 July 1990, and ending 31 October 1990, such payments to be

charged to the proper appropriation following the voting of supply.

Hon R. F. Nixon: Mr Speaker, I am glad to move this routine vote. You may see that it is a resolution. You will see that it is for four months rather than three, for reasons that I cannot recall right now other than if we did it right at the end of September, we might be rushed. The amount that is dealt with here is approximately \$13 billion.

The honourable members know that this continues the government's payments on a wide variety of important programs. Naturally I would be delighted to hear their views on these matters.

Mr Laughren: I was not really intending to speak in this debate, but I think I will anyway. I must say that the Treasurer, when he commented that we were voting on supply for four months rather than three, did not indicate to the House that this was with the agreement of the other two parties as well. There is a tradition that we have supply for three months at a time, not four. We agreed to have a four-month supply motion.

The reason I mention that is that the Treasurer just accepts the fact that this is what the opposition should do; that is, go along with the request for four months. We have no objections to that. But I found it passing strange that when he wound up his debate on the non-confidence motion, he engaged in an uncharacteristically petulant display about the role of the opposition in protecting its rights in this chamber, particularly with a large majority government.

1800

I do not know how the Treasurer thinks that the opposition is supposed to deal with a large majority if it is not utilizing the rules that are put in there, with the agreement by his party that it goes some way to protecting the rights of the minority parties in this Parliament. For the Treasurer to stand in his place and say that the opposition did not allow the government to proceed with its agenda is total and absolute nonsense.

Here in the last two weeks of this session, where the government has the right to sit every evening, we are sitting one evening only, and only then because of the arrogance and insensitivity of the Premier earlier this week when he walked out of a debate on Meech Lake. That is the reason, the only reason, we are sitting even one night. So for the Treasurer to get up and whine that the opposition stymied the agenda of the government is absolutely ridiculous. This government barely had an agenda, and for the Treasurer to engage in that rather petulant talk really is unbecoming and uncharacteristic of him, and I was somewhat taken aback by it.

Mr D. S. Cooke: I think it is quite characteristic.

Mr Laughren: There are others in this chamber who would say it is not uncharacteristic of him.

We will support this motion of supply because we understand that the bills need to be paid regardless of what goes on in the province, regardless of how foolish we think some of the programs of this government are.

If there is one thing that the people of Ontario are going to be reminded of a lot in the next few months, it is the number of promises this government made and the number of those promises that it subsequently broke. The leader of the Progressive Conservative Party spoke of that, I thought, quite eloquently in his windup on the non-confidence motion.

We know, for example, that this government promised employment equity. It ain't there. There is no employment equi-

ty, despite a very clear and firm promise that the government would bring it in.

The government promised that there would be lower auto insurance rates. We all remember the Premier's statement: "I have a specific plan to lower auto insurance rates." Auto insurance rates have gone up since he made that promise, a distinctly broken promise.

We remember the promises of the government on education to reduce class sizes, to amend Bill 82 for special education, the promise that the province would pick up 60% of the cost of the funding of education at the local level. They have broken that promise as well.

We remember the Premier's statement that he would not agree to the free trade agreement. He would veto the free trade agreement if it gutted the auto pact. We have seen what is happening now in southwestern Ontario, and Windsor in particular. The auto pact has been gutted by the free trade agreement because of the Canadian content requirements.

Mr Ballinger: That is from your Tory buddies.

Mr Laughren: It is the fault of the federal government that we have free trade, but it is the fault of this government that it made a promise that it could stop the free trade agreement if it gutted the auto pact. It gutted the auto pact, and they broke their promise again. There is no question about that.

This government is going to become famous for the way it says it is opposed to the federal government and then caves in when that government proceeds with its policies. This afternoon we went through the debate on taxation and how this government said it was opposed to the goods and services tax and then immediately proceeds to put its tax on top of the GST. Talk about sticking it to the long-suffering taxpayers; no one has done it better than this government. We hear them say they are opposed to the GST and, at the same time, they are imposing the provincial retail sales tax on top of the federal GST, which they say they are opposed to. Well, nobody believes them.

They had the chance to vote in support of a resolution from this caucus in this chamber last fall which stated that this government would not support or collect the federal goods and services tax. To a person, the Liberal caucus voted against that resolution because it wanted to have its cake and eat it too. They wanted to be able to say they were opposed to the goods and services tax and at the same time impose the retail sales tax on top of it, thereby living off the avails of something to which they said they were opposed. It is becoming an all too common refrain in the province of Ontario.

We know that when the Treasurer spoke this afternoon he said that because of the way the opposition had exercised its rights in this chamber in the last few months maybe it was time to go to the people. I cannot recall who it was, but someone from this side interjected that the real reason the government wanted to go to the polls two years before it had to—it is a five-year mandate, I remind the members, and the government is all cranked up to go after only three years—was that it must be afraid of the future. They must be afraid of what is going to happen in the next year or two or they would not be cranking up to go to the polls now.

They do not care about the cost to the electorate of an election this year that could be put off for another year. That does not seem to be of any concern at all to them. They have read the polls. They have decided that now is the time to go and they say, "If the opposition objects, we will just accuse them of being fearful of going to the polls."

The opposition knows that we are going to go to the polls. We are quite prepared to take on this government. It is up to us to get the message out there to the electorate that this government has broken almost every single significant promise that it has made, that it has been just one broken promise after another. The members should not think the electorate will not be reminded of that, as though it needs to be, but it will be reminded time and time again of those broken promises.

I did not even talk about the promise for beer and wine in the grocery store and the shambles around the Sunday shopping legislation. It is still a shambles and yet this government would like to give the impression to the people of Ontario that it is capable of running a competent administration. Nothing could be farther from the truth.

For a government with a huge majority to blame the opposition for it not being able to get its legislative agenda through is a laugh. I really did not believe my ears and eyes when I saw the Treasurer stand in his place earlier this afternoon, just a half an hour ago, and whine that the opposition was preventing this government from carrying out its legislative agenda. What a ridiculous statement for the Treasurer to make. For heaven's sake, the government has had three years and it is not the opposition that is stopping it; it is the lack of political will and commitment to those promises it made.

I can just imagine what the electorate will think in the next election as the Premier trips across the province wrapped in his Canadian flag making all sorts of promises. There will be jeering and laughter at every single promise he makes, because who is to believe him? Who is to believe he is going to keep those promises?

I do not remember a member of this assembly calling the Premier a liar before. I never remember that happening. Perhaps it has. But we had in this assembly last week a member of this caucus deliberately call the Premier a liar because he felt he had to.

Mr Philip: He called the Premier a liar because the Premier was lying.

The Speaker: Order. The member for Etobicoke-Rexdale, will you withdraw?

Mr Philip: Withdraw.

Mr Laughren: The one aspect of the government program that bothers me the most at this point in time, aside from all those broken promises, is the way it has failed to address the structural problems in the Ontario economy. We know there is a shift going on from manufacturing jobs to service jobs. We know how much less those service jobs pay. We know that will be a collective reduction in the standard of living as that trend continues. We know that. That is statistically evident and the proof is clearly there.

1810

We know the average weekly pay in manufacturing is almost \$560 a week and in service industries it is about \$300 a week, so there is an enormous difference. I hope the Treasurer will go back and read the Premier's Council report because the Premier's Council report said that the route Ontario should go is not towards a low-wage policy, but towards a high-wage manufacturing policy. I give the Premier's Council credit for realizing that if you simply sell yourself to the lowest bidder, through the service industry, then we are not going to go anywhere. We simply have to continue to have Ontario as a manufacturing, wealth-producing province. That is terribly im-

portant for the benefit, not just of Ontario but of the rest of the country as well.

I do not think it is a selfish position to take that Ontario should continue to be a high-wage, wealth-producing, manufacturing province. I think the entire country benefits when Ontario prospers and certainly the people of Ontario prosper. I think we have a right to expect that from the stewardship of whoever governs the province of Ontario. I worry very much about the trend that is going on and the failure of this government to put in place any adjustment policies to make sure we at least have an economic agenda, an industrial agenda for Ontario.

I would ask the Treasurer to compare—the time is not here now to do it, but I would ask the Treasurer at some point to look at what the Quebec government has done with its pools of capital compared to the way Ontario has behaved. Quebec actually has a goal and a strategy for the huge pools of capital that are there. Ontario has none, absolutely none. I think it is a responsibility of government to correct that absence of policy.

We shall support the supply motion because we do want the wages of our civil servants and other bills to be paid in the province, but I can tell members we are supporting it, not because we have much confidence in the policies of this government but simply that we know the bills must be paid.

Mr Cousens: There is no great pleasure in being a politician in Ontario these days. I certainly have a sense of great frustration at what is going on and the way the government is being run, the things that are being said by government members and just the whole process and the way it is deteriorating. I sense an increasing sense of frustration by my constituents with what is going on at all levels of government. It is difficult to defend the whole process as it is now happening.

There is the secrecy that goes on within the Premier's office when he goes to Meech Lake meetings and the way in which he comes back and makes his report. There is an arrogance about the government, a spendthrift spirit. This government has in five years increased taxes some 33 times. We have seen the revenue of the province increase by 130% over five years. We have seen the spending go from \$25 billion in that period of time to \$44 billion.

We are looking at a government that is better at breaking promises than it is at keeping its promises. When it promises 4,000 beds for hospitals, for the sick, we do not get it. When it promises 102,000 rental units, we do not get it. When it promises lower insurance rates, we get this limited no-fault insurance.

It is time for the people of Ontario to revisit what this government is all about. Having seen it in operation for the last five years, I have to say that I am indeed tremendously disappointed.

A lot of little specific things come through. I think today was another example, when I asked the Minister without Portfolio responsible for disabled persons what has happened since we asked the question last week with regard to the visually impaired, and the impact it is having on people who are visually impaired using the Toronto Transit Commission, and how the Cass report on the TTC's safety came through and said there should be a program implemented immediately to install a clearly defined yellow safety strip in each station across the system. The answer I received from that minister was totally unacceptable.

I apologize to you at this time, Mr Speaker, for my over-reaction with the minister's response, but I was offended at the failure of the minister to really deal with the issue, to get some-

thing to happen and in co-operation with the Minister of Transportation to make it happen.

The fact of the matter is we have an issue on which the Toronto Transit Commission has informed the government of Ontario that it is not able to go ahead and install the safety strips until they get some financial help from the province of Ontario. If they had an advocate from the minister responsible for disabled persons, we might begin to see some action on this.

The fact of the matter is we have had more than one accident. Certainly the death of this person is an indication of a failure of our whole system to respond quickly, immediately and responsively to a need that is serious. There is that kind of decision-making, wrapped up in a bureaucracy that has become ever larger, that has increased by close to 10,000 people in five years' time, and yet they are not able to be more responsive to the needs of the people of Ontario.

The number of times I have written the Minister of Transportation, the number of names on petitions from people in Union Villa and Unionville asking for a stoplight in Unionville so that we have some safety for people crossing the road at that busy intersection—no action taken. These kinds of things seem small and trivial compared to the billions of dollars we are going to be spending this year, but they deal with people, and they deal with people who are genuinely concerned about the safety of themselves and their community.

We are talking about a government whose arrogance has separated itself from the needs of those people. I have to feel a tremendous sense of disappointment and frustration that this government has not acted more responsibly in dealing with these issues. I end up getting doubletalk, and doubletalk seems to be a specialty of politicians. It is little wonder that people are increasing their sense of doubt about what politicians do in this province.

We are dealing with an economy that is suffering right now. There are many, many people losing their jobs. I hope the economy does not slide any more. I hope there are things we can do at the federal level to somehow reduce the interest rates, that there can be some leadership given at every level of government to show that we want the economy to be strong.

I have to say that at this level of government, they opposed free trade when it was implemented. Now that it has been implemented, we need to have some help from the government in some of those areas that are suffering from the transition to free trade. We are seeing nothing, not a thing from this government to help in that transition. There is a problem with free trade. I am worried about it because I am seeing companies that are pulling up stakes and moving out of my riding and out of and re-establishing elsewhere, and that is a concern. Government should be involved at this point to help with readjustment for those companies that are facing financial troubles. I believe every level of government should be held accountable for it.

We are dealing with the interest rates. We are dealing with the GST. We are dealing with worries about what the government is doing or going to do. Somehow there seems to be a disregard for what the common person is trying to do. I am seeing it happen with the stagnant housing sales. I am seeing it with the people who are coming to my office looking for a job. What does government do? We just keep plowing ahead as if nothing is happening out there. I think we should be genuinely concerned, and if we do not begin to react more in a concerned and responsible way, the kind of revolution that exists now in eastern Europe could well take place in Ontario and in Canada.

I think things have changed for ever since Meech was not approved, but let there be an open and public debate so that we

can work things through. Let's understand who we are in Ontario. Let's protect our rights. Let's develop a culture that represents the needs of the whole cross-section of our society.

When Nelson Mandela was in our town last week he had a message for all mankind. But what are we doing to follow through on that in showing respect to one another and showing that respect not only to the multicultural needs, but dealing deeply and truly with the financial needs of our community and dealing with the need to respect our law and order and our police? Our society is held together by loose bonds. Our country can be held together by those bonds if we believe in ourselves and believe in our future, and if we as leaders in government do something more than just blindly go on as if it does not matter.

I have a sense of worry that we have been getting only words from the Minister of the Environment, with the lack of decisions on land use planning, so that we can really understand how we are going to take advantage of land and protect agricultural land, how we can put together a policy that is truly environmentally friendly and know that we really have a sense for the future for mankind and womankind, and that we have that implicit in any kind of housing policy this government has. If only we could have some sense that this government was giving leadership on environmental issues, which it is not.

I am challenged by the failure of this government to come to terms with transportation issues, which I am seeing as the chairman of the Ontario Progressive Conservative task force on transportation. We have come forward with a number of recommendations and we have many more to bring.

1820

We are dealing with a government that really does not want to listen. It does not seem to care. I had a presentation this morning from the Ontario Motor Coach Association which points out that the government is in competition with the private sector with the things it is doing with the Ontario Northland Transportation Commission, that the way municipal transit is being handled across the province and under this jurisdiction is not encouraging free enterprise.

I am dealing with the very simple things within a community when you are talking about cutbacks of spending on important social services. I had a letter today from the Markham Neighbourhood Support Centre. They are concerned about the cutbacks that are coming out of the Ministry of Community and Social Services, where approval for a proposal for two-parent and child care resource centres in the town of Markham is in severe jeopardy. A committee of Markham residents and parents who have been striving to open these centres since the fall of 1989 is now seeing that as another possible failure that it is going to face.

It is a government that should establish priorities that put people first and put the people in a position where they can begin to help themselves, so that we are not just getting the words and the promises that have all been broken, but so that we have a government that is committed to making this truly a better place to live.

I stand in my place today proudly representing the riding of Markham. I believe the people of our riding are anxious about the future and would like to have some sense of comfort that the people down here in the seat of the Premier and in his cabinet are really taking their concerns seriously. Their concerns have to do with interest rates, money, government spending, taxes, quality of life in their community and the whole range of things

around the environment, which is beginning to be a major concern for the future.

When you realize the number of trees we cut down and do not replace, when you see the kind of pollution we continue to generate, when you start to realize there is a breakdown in our whole civil culture, we as legislators and leaders should break down the party lines and put first the needs of our whole community and the needs of Canada, so that we as legislators can somehow draw together the best of our province. I realize there are going to be party differences. I like some of them. I hate them when they come along and you end up having a big set of barriers, where you have the cabinet coming out with surprise decisions that have not really been part and parcel of what this government was supposed to do, what it promised to do and what it should do.

Sure, we will support the motion for government money, but let's just hope they begin to wake up and understand that the people of Ontario are crying out there and cannot afford to continue to pay all the taxes this government is so good at levying.

Mr Philip: I want to use this time to speak briefly about a couple of issues. I have brought to the Treasurer's attention what I consider to be a discriminatory tax against residents of the greater Metro Toronto area with his Metro Toronto area corporate concentration tax. I have pointed out the effect that is having on the property owner and indeed on businesses in Metropolitan Toronto.

On Monday I pointed out that the taxpayers of Metro Toronto are similarly being discriminated against by the Ministry of Education, and I asked you, Mr Speaker, if you could tell me what percentage of the operating costs of education in Etobicoke was funded by the provincial government in 1975. The answer of course was 33.2%. I further asked you what percentage of the operating costs of education in Etobicoke was funded by the present Liberal government in 1990, and of course the answer is 0%.

I want to deal, though, with the property tax credit plan, because that is another area in which we can see the discrimination by this Treasurer, by this Liberal government against the residents of Metropolitan Toronto. The property tax credit plan was established in July 1980 with a maximum tax credit of \$500, but in the budget of April 1987 the maximum was increased to \$600.

The consumer price index of Metropolitan Toronto for 1987 was 139.5. The comparable index in April 1989 was 161.7, which represents an increase of 15.9%.

Another index which also reflects the reduced funding of education by the provincial government would be the mill rate. The Etobicoke education residential mill rate for 1990 is 204.73 mills. The comparable 1987 rate was 155.42, which represents an increase of 31.7%.

If we assume that the amount of the tax credit as of April 1987—in other words, the \$600—is appropriate, then the amount of the tax credit should be increased, if we use the base of the CPI, \$600 times 1.159, which would come out to \$695, or if we base it on the mill rate, we would multiply \$600 by 1.317 and come out to \$790.

The tax credit is a flat amount regardless of the level of property taxation. According to the information from the Ministry of Municipal Affairs, we see that the average residential taxation per household in the municipal and education area in 1987 was \$1,344. According to the Municipal Affairs data, the average residential taxes by region are as follows: Metropolitan Toronto, \$1,582; the regions, \$1,479; the county cities, \$1,166;

the district cities, \$1,072; the counties, \$915; and the districts, \$761.

What we see is that the property tax credit represents a rebate of up to 78.9% in the case of the districts, but that compares to 37.9% in the case of Metropolitan Toronto.

This government fails to understand that while Toronto is a first-class city, it is being discriminated against by this government, by being a first-class tax city. The Treasurer sees this as a rich milk cow somehow, that he can milk the taxpayers of Metropolitan Toronto for everything that is possible.

He fails to realize that in areas like mine there are senior citizens, there are ordinary working people who are being taxed to death by this government that is discriminating both in business taxes and in transfer taxes, and indeed indirectly, by raising property taxes, against those who happen to live in this great first-class city that he chooses to drive his car in, of course using a licence plate that costs considerably less than it does for the residents of this great first-class city that he visits daily.

I would like to deal with another area which the Minister of Consumer and Commercial Relations, that great minister who did such a great job of policing the corporations when he was Minister of Labour, is in charge of.

What we have seen recently is a series of bankruptcies and problems in the real estate industry, and that is affecting both the home buyers and indeed the people who are operating as salespersons in that industry.

In 1981 the Ontario Real Estate Association established the recovery fund for the benefit of membership in the situations where a firm member becomes bankrupt or insolvent and is legally unable to meet commission obligations or if the broker absconds with the funds.

What we have seen is that this fund is grossly inadequate. I would like to go through the various articles in it, but basically, if you look at what it does, it provides for a maximum amount of compensation of \$10,000 with respect to a single real estate transaction, and in the case of a broker member or sales person, 50% of the total amount payable to the firm member employing such person on any single real estate transaction, less any amounts owed by the broker member or salesperson.

1830

What it fails to deal with is that brokerage firms are now operating in a completely different manner than what may have been contemplated at the time in 1981 in which the fund was set up. So we have situations in which salespersons and real estate brokers in fact do not simply accept a certain percentage of the sales commission. If that were the case, then perhaps the \$10,000 rebate in the case of bankruptcy would be adequate. But many in fact operate on a business of obtaining 90% of the commission in exchange for paying a very high monthly fee for advertising, for rental space and so forth.

What we have is a situation in my own riding where a number of salespeople and brokers are losing thousands and thousands of dollars as the result of country-wide realty experts having financial problems. We find that even their advance commissions, that is, commissions on properties which are closing in the future, are not obtainable to them, but instead they have to accept the bare minimum amount.

It is not as though real estate agents are fat cats in this industry. Many of the people who sell real estate in my riding are people who may have been doctors or lawyers or teachers in other countries, they come to this country, many of them find that it takes a number of years until they can get certified in their profession, and so they work as real estate people, often

working in other jobs to supplement their income at night for very small wages. It is not uncommon for many of these people, I am told, even in a good market, to make one sale per month, so they are hardly in a high-income bracket.

What we have is no protection under the Employment Standards Act for these people. When the real estate salespeople go and say, "Half of my year's salary has disappeared on me," the Employment Standards Act says that they have a maximum amount which may be awarded to an employee of \$4,000 and that they should go and apply under the other act. They can go to court, but what does that do if the well is dry?

We also have the problem that there are no compensation funds in terms of the consumer, other than the Ontario home warranty program for the new home purchasers, for consumers, therefore, who have suffered financial loss as a result of the vendor's bankruptcy. Under section 2 of regulation 891 of the Real Estate and Business Brokers Act, a broker is required to post a \$5,000 bond with his or her application for registration. In the event of bankruptcy, the registrar of real estate and business brokers may declare the bond to be forfeited. If the bond is forfeited, the purchaser may be entitled to make a claim with respect to the \$5,000, but in many cases this sum of money would do little to offset the purchaser's losses.

What I am saying is that with the increasing number of bankruptcies as interest rates rise, as the real estate business is suffering a downturn, the Minister of Consumer and Commercial Relations should be looking at those people who have been involved in the selling of real estate, at the tremendous losses that some of them are personally taking, and look at ways in which they can be compensated like other employees for loss of wages for their employment. They should be looking at the consumer for the losses that the consumer can take as a result of purchasing a home through a real estate firm that has gone into receivership.

Mr Jackson: I am pleased to rise and offer a few comments to the Treasurer, who so graciously invited comment today on his interim supply bill.

At the outset I would like to comment on the uniqueness of this four-month time frame. I think it is appropriate, given all of the discussion about an election coming, that the Premier and his Treasurer need sufficient moneys that they can get themselves through an election. Regardless of what the polls tell them or regardless of what advice they are listening to in this House, we obviously know that there will be an orgy of promises at a number of barbecues all across Ontario in the coming months and weeks.

Mr Neumann: How do you know that?

Mr Jackson: We know that—the member for Brantford asks—because we have seen this Premier campaign several times. The honourable Treasurer did not resort to these kinds of tactics. I remember in the 1970s his campaigning style was straight up, forward, factual and to the point. He was quite a campaigner to admire—not to vote for, but he was a great campaigner to admire. However, the fortunes of the Liberal Party changed with the fortunes of the campaign style, which has its penchant for hamburgers and promises.

The fact is that in the last election the Treasurer had given the green light, we imagine, to the Minister of Health then to engage in promises to hospitals all across this province, and certainly the great community of Burlington and the Joseph Brant Memorial Hospital did not escape some of this election promising and the benefits of the barbecue circuit for the Premier, because, as we know, Joseph Brant hospital was

promised 180 beds. But when the election passed and the last hamburger was eaten and the Premier emerged in this House with his huge, unprecedented 95-seat majority, we started to have the Treasurer and the Minister of Health re-examine those promises.

So it is very much a relative question the member for Brantford has raised, because that is in fact the style of this government and that is what we can look forward to in this next four-month period with the moneys that the Treasurer is asking us for tonight.

I want to bring in clearer detail to the Treasurer the concerns that have been expressed in the community of Burlington. It would be most unfair if I were simply to highlight those matters that are of need as I see them as a member of the opposition. The truth is that out of this interim supply will come moneys to assist the expansion of GO Transit. For that I say thank you to the government. It is appreciated; it is essential; it is overdue.

I am paying the Treasurer a compliment. He should wake up.

Hon Mr Nixon: What's overdue?

Mr Neumann: The extension of GO Transit to Brantford.

Mr Jackson: No, Burlington, and onwards to Hamilton.

It would be fair for me to say, for example, that Halton has benefited from the building of a couple of additional schools, albeit not what their capital needs require, not what in the educators' opinion they need, but it is fair to say that the government has allocated funding for additional schools.

But it is equally fair for those of us on all sides of the House to clearly present before the government those concerns and their importance within our communities.

Quite frankly, nowhere is there greater importance attached in the community of Burlington than on the issue of our health and our wellbeing. As a city, there is growing concern that we do not want another episode like the one we received three years ago, promising us 180 beds, which we clearly need and for which we have demonstrated the need, on bended knee, only to find them taken away, spending hundreds of thousands of dollars on a consultant's report while the Minister of Health sends back proposal after proposal after proposal, frustrating the hospital but, more significantly, really compromising the health care needs of the community of Burlington.

So when the government receives this interim supply, armed with all its promises for the election which everybody anticipates is coming, we will not tolerate another cynical election promise at a barbecue that Burlington is going to get those beds unless we actually get the beds.

The reason that is important is because the citizens of Burlington have finally realized just how badly the health care services have been stretched in the community of Burlington. I have raised in this House several cases of constituents in Burlington who could not get into Joseph Brant hospital: the case of Joan Thole, who died in the United States because she could not get back into Canada into her hospital bed some 60 miles away; more recently, Phyllis Abbs, a similar situation. They were able to rush her across the American border. She had to go to Woodstock because we could not get her into Joseph Brant Memorial Hospital. There is case after case after case, situations of three-, four-, five-hour waits in the emergency department of Joseph Brant Memorial Hospital.

1840

Because of the transfer payments that the ministry is making to Joseph Brant Memorial Hospital, we have an unprecedented number of beds being closed again this summer. In 1986 it was 10 weeks that we shut down 30 beds at Joseph Brant Memorial Hospital—

Mr Neumann: It is called local decision-making.

Mr Jackson: —and now we are up to 11 weeks and 44 beds being closed.

The member for Brantford says that is a local decision and he knows that is not true. He knows that the hospital cannot operate beyond the revenues that the province allocates to it, that there is no reconciliation of the needs of that hospital, only the bottom line as established by the minister. The member for Brantford knows full well that this Liberal government threatened to remove hospital administrators, most notably in Cambridge, who said, "I'm going to put the health care needs of our community ahead of this government's penchant for allowing its own deficits to run but not allowing hospitals to operate a deficit in genuine response to the needs of those communities."

Mr Neumann: What deficits?

Mr Jackson: It is interesting that the members in the Liberal government who seem to be raising their voices the most are those who have in their own communities hospitals that are being stretched to the limit. They have case after case. I tell those members, as they get ready to do their barbecue circuit, that they should not have their press conferences at a barbecue, they should not go to a picnic with the Minister of Health, they should take her to their hospitals and bring her in. They should have her go and visit and see that beds are being shut down. They should have her walk over the same space where three years ago the then minister promised 4,000 beds in this province.

But she will not go in; she did not at Joseph Brant Memorial Hospital. She did not want to go up to an empty ward. She refused to be photographed in a wing of Joseph Brant Memorial Hospital where we have been waiting for those beds for years. It is sitting there, but, oh no, she cannot be photographed where there are long corridors of empty rooms, when people downstairs cannot get in.

The Treasurer, in fairness, has the difficult job of setting priorities in this province. I expect him to advocate, with all his strength at the cabinet table—

Mr Neumann: He challenged the hospitals to end their deficits.

Mr Jackson: He has challenged hospitals to cut. That is all he has done. And he carries the big stick, as the member for Brantford would know. He carries a very huge stick, and that stick does not hit hospital administrators, it hits the nurses who suffer the staff cutbacks. It does not hit the hospital administrator, it hits the patients who have to fly to Thunder Bay on six-month waiting lists, like the case of a widow in my riding who buried her husband and three weeks later found out she has cancer. This widow is a senior citizen well into her 70s, and she is expected to fly to Thunder Bay all by herself. That is who gets hit with this big stick that the member for Brantford talks about, the average citizen whose health care needs are not being met.

I would like to have identified a lot of concerns. I have paid compliments to the Treasurer in some of the programs which he

has brought in to the city of Burlington. We have a wonderful new interchange which is under construction, three years late, paid for with his greater Toronto area tax.

Hon R. F. Nixon: It is also holding up my trip home at night.

Mr Jackson: It is holding up his trip home and that is the only saving grace, that he drives that terrible piece of highway just as I do every night, but he has a driver. He gets to read all the newspapers. I do not have that luxury.

Hon R. F. Nixon: It makes me nervous.

Mr Jackson: It should make him nervous. It is not a safe piece of highway.

The point is that the citizens of Burlington are paying higher prices through their licence fees. There is the commercial concentration levy, which is a severe penalty to residents of Burlington, who are not contributing to growth, which is the reason that this government rationalized why it brought in that tax; yet it has cut back transfer payments to the city of Burlington. To listen to Mayor Roly Bird of the city of Burlington, he has clearly indicated that the government's commitment for our rural roads in Halton and some of our infrastructure improvements that are required is not forthcoming. But the Treasurer will, as was stated earlier, find a new tax; and if he does not find a new tax he likes, he will create a new one; and when he does, he will find time to hike it.

I am telling the Treasurer that the citizens of Burlington are a very tolerant group of people. They have listened to this government make promise after promise, but when it comes to the health care needs of the citizens of Burlington, we are not going to accept any more of his political promises. We expect those beds in a community that is growing at one of the fastest rates in Ontario, with one of the fastest-growing populations of seniors. For this government to have completely eliminated all chronic care beds for Joseph Brant Memorial Hospital, to stonewall Oakville-Trafalgar Memorial Hospital with its need for chronic care beds, to not even honour the commitment to provide the expansion of nursing home beds at Mount Nemo Lodge, to cut back the total number of beds at the Milton home for the aged—these services are in decline when the population is growing and the citizens of Burlington fully expect that this government will begin to take seriously the crisis in health care as it relates not just to the province but specifically to the city of Burlington.

Mr Mackenzie: I am pleased to rise and participate in the debate on interim supply and to indicate that I will be supporting the motion for interim supply. I can also say that I did not originally intend to speak on this supply bill today at all, but I was provoked, if that is the word for it, by the member for Brant-Haldimand, the Treasurer of Ontario, who earlier seemed to indicate that the member for Hamilton East was an anomaly—I think that was his word; I have not looked at the Hansard—that they would have to do something about in the next election. I want to thank him for that comment. If I am an anomaly, I am one of three out of four in the city ridings in Hamilton. That is exactly what we hold now and we hope to do better.

I am proud of being a bit of an anomaly, if that is what the Treasurer thinks I am for the positions I take in this House, and I want to tell him why, very simply and very directly. First off, we have a country now where about 90% of the wealth in this country is owned by 10% of the people. We are doing nothing about it. The rich are getting richer and the poor are getting

poorer in this province and this country of ours. That is the situation for the people generally.

Hon R. F. Nixon: Your pay is going up.

Mr Mackenzie: I admit what I am getting. We have a situation where in the province of Ontario we have this phoney attack on the federal goods and services taxes, and yet what is the record in Ontario? As was pointed out earlier today, retail sales tax revenue in 1985 and 1986 was \$5,025,000,000. It is now \$8.96 billion. It has gone up \$3,935,000,000. Personal income tax has gone from \$7,249,000,000 to \$14,510,000,000; it is up \$7,261,000,000. The number of families paying this has gone from 2.9 to 3.1 million, a very small increase. What it means is that the people of Ontario are being taxed more than we are going to see even with the new goods and services tax federally. On top of that, we are going to see a tax on tax, no matter how the Treasurer likes to argue about that in terms of the goods and services tax.

We are seeing a situation where almost 40,000 companies in this province are paying no taxes at all, not because they are doing anything illegally, but because of the loopholes that have been put there by the two old-line parties in this province of ours. We are not seeing fair and equitable taxes for people, and people are hurting. I sat in just a week or two ago with the other members from Hamilton, including some of the Treasurer's colleagues, where the city in effect gave us a bill for what it considered a direct \$5.5-million shortfall in terms of programs it had to finance as a result of what it considers—the Treasurer denies it—cutbacks in the funding, or the fact that the ongoing funding for some of the programs is not maintained.

Hon R. F. Nixon: They went up 11.3%. It's pretty hard to cope with that small increase, isn't it?

Mr Mackenzie: Municipalities right across this country are complaining about it and the Treasurer knows it. We do not have a fair tax system in this province, and it is not getting fairer. In fact, Ontario is doing more than the feds are going to do, even with the goods and services tax that is coming down.

1850

Hon R. F. Nixon: Give us the "soak the rich" one.

Mr Mackenzie: The Treasurer can call it socialist rhetoric if he likes. I was interested in the professor from Guelph who clearly outlined the fact that a 1% wealth tax on that top 10% I talked about would raise almost \$5 billion, or as much as we are going to see raised by the goods and services tax federally. Why are we not looking at where the money is in this province?

The other thing: How many calls have all of us had—I am presuming the other members are getting them too—with regard to the difficulty with people in emergency situations getting into acute care beds? That has not happened for a number of years, until the last year or two in my city. We had the twins in a breach-birth situation, the classic example, where they wanted to move them to Kingston or to Toronto. It was just a terrible situation. I well remember the visit of that family into my constituency office, their anger and their desire to be somehow or other transported into this House and get into a one-to-one confrontation with the Minister of Health over what had happened in their situation.

We are seeing some real concerns at the municipalities, as I said, about their ability to raise the money they need to maintain the programs. We are seeing some real problems in terms of the kind of health care, and I would say it is a deterioration in the health care in this province.

What about the betrayal of workers? My God, where else can you see a better example than in Bill 162, the Workers' Compensation Board and what it is doing already to workers? Where can you see a better example than the promises that were made and then broken and the changes made in Bill 208, the health and safety bill? That was a direct betrayal of a promise made by this government.

Where else can we see a better or a more obvious betrayal of workers than we have seen in terms of the Premier's own promises that if the auto parts industry was hurt as a result of the free trade pact, there would be no deal? My golly, what is happening right across this province?

Mr Neumann: What did Ed Broadbent do?

Mr Mackenzie: We have got something like 80,000 industrial workers who are now out this year.

Mr Neumann: Are you proud of Ed Broadbent's role, saying nothing about free trade?

The Deputy Speaker: Order please, the member for Brantford.

Mr Mackenzie: We certainly have not seen this government live up to its promises to protect workers when it comes to the free trade situation or the plant closure situation.

Hon R. F. Nixon: What, what?

Mr Mackenzie: I remind the Treasurer—he may not like it—that it is one of the items that was in the accord that the government has never acted on. Plant closures: Earlier notice, public justification was one of the conditions there. The Premier signed it, we have done nothing about it and we are now reaping some of the results in the province of Ontario.

I want to say about Sunday shopping, regardless of what side of the issue you are on, there was a reversal by this government on that issue, a very clear reversal.

A more recent one is the longer trucks. He can argue all he wants. I have not seen any motorists yet who think adding another five or six feet to the trucks on the highway is going to be of any benefit to them as drivers, and I do not think it is going to be of any benefit to the workers who are involved in the industry. It just does not make any sense.

I guess even more recently are the current moves that are being made in terms of workers' pensions. I cannot believe it—another item in the accord, I might say. We were supposed to be looking at indexing of pensions. We were supposed to be looking at the issue of who owns the surplus funds in pension plans. This government and the minister responsible have obviously now made the decision, because in effect we are legalizing contribution holidays. That may not be pulling the money out of the plan, but I can tell members anybody involved in the pension issue, and certainly the unions that have been fighting this issue so long, and certainly workers who are worried about their pensions, knows that it makes not a darned bit of difference whether or not the company can reach its hands in and take the surplus of a fund or just take a holiday from its contributions. It is the same difference.

The changes in the solvency requirements mean that General Motors might not get hurt, where you cannot take into account money that is needed to be in there in a situation where there is plant closure or severance or other benefits for a worker, but a small company, a one-company issue that has a plan, they can definitely be hurt and are going to be hurt in the benefits they can obtain as a result of that change being made. The five- to 15-year funding arrangement is another one that

means there will be plants that will be closed out as a result of the economic situation and the protection will not be there for the workers.

What I am saying to this Treasurer is that yes, we know we have to provide the money to pay our civil servants and to meet the ongoing bills of the province of Ontario, but I am also saying to him that I am proud to be an anomaly if it means that I do not think it is right that a government can say one thing, whether it is on longer trucks, Sunday shopping, workers' pensions, health and safety, workers' compensation issues, taxes, free trade, and has broken its promise or done the opposite on almost every one of those issues. As far as I am concerned, the government has bitterly betrayed workers in this province of Ontario. I think this government, in terms of its lack of internal fortitude in carrying out what it said it would do during an election campaign, has broken a trust to the people in this province and I am proud to go back to Hamilton East and to be an anomaly, if that means not being like this particular government.

Mr Neumann: I listened with interest to the member's vigorous speech and I just wanted to make one brief comment in relation to the free trade issue. I am proud of the stand that our Premier took on the issue.

Mr Laughren: What stand?

Mr Jackson: What stand was that?

Mr Neumann: As the members in the opposition quite rightly know, the province of Ontario did not have the opportunity to veto the free trade agreement. It was crafted in such a way that it was exclusively at the federal level.

Mr Laughren: There was no stand whatsoever. There was no stand on the free trade agreement whatsoever. When are you going to understand that your Premier—

Mr Neumann: I hear them agonizing over there listening to the truth. The member who previously spoke knows very well that the chance to stop the agreement was in the federal election of 1988 when our federal leader, Mr Turner, certainly made his position clear, but we barely heard any comments whatsoever from Mr Broadbent, the leader of the NDP. I think that is what they are so upset about over there, that their party failed when the moment of truth came.

Mr Mackenzie: I think our position has been constant on the free trade issue. Whether or not we made enough of an issue of it in the federal election, there was nobody in the province of Ontario or in Canada who did not know where we stood. They certainly knew where this party stood in the province of Ontario. I think we also did not make the kinds of comments that were made by the Premier of Ontario, that there will be no deal if this is what happens. We certainly told the truth. Whether we stressed it enough or not is another matter, but we did not break a commitment to the people of Ontario, which this government did.

Mr R. F. Johnston: Here we are in an evening session. It makes me positively nostalgic getting up here in an evening session, before dinner, mind you, which will probably change the quality of my speech, but there you go.

I would like to make a few comments, spurred on a little bit by those of the Treasurer in his last presentation to this House, in which he started to go on and on about the abuse of the process by the minority on this side. I want to say a couple of things.

It changes a person a great deal, I presume—and I have seen some changes in some of my friends on the other side as they become swaddled by the enormity of the majority, when they are surrounded by the critical approach of the family dog of the Liberal caucus, in terms of that bitterness to which they are held to account in the executive council of the province by their caucus colleagues. So I start to see a change in attitude.

A member who was known at one point even to ring bells for quite some period of time and to endorse that kind of thing, a member who on the other side could not even imagine what it was like during the period he was leader to have a government actually move closure in a pre-emptive fashion before the debate ever took place, or a government that these days moves closure on several bills at once. Then to turn around and say that the dangerous gang of 19 somehow usurped the rights and privileges and the balance between the rights of the executive council and the rights of the members—give me a break. We have to use those things that we have in our hands within the rules, which we all agreed to use, and that is what we did.

We are voting on four months of supply here. Partially with all the goodbyes that some of us who are a little longer in the tooth politically—and those who still will not understand how long in the teeth they are and should be moving on—a number of us having been making our goodbye speeches, etc, and it seems to me that it is evident to all, you get the sense, this almost inevitability, of a provincial election this summer.

I know that there is some analysis on this side that the Liberals say, "Let's go now while the going is good and not go at the end of our term." Then there are some people who say that there are people who are suffering from what is known as the McKenna complex; that is to say, "Ninety-four ain't enough because 19 and 16"—or whatever; I keep forgetting the number of the third party—"can somehow get in our way and, you know, it's hard to rule when you've only got 94 members. It's really tough, so let's go for 130."

1900

Maybe some people think that is the way it should be. It is the McKenna complex, as I say. I do not know what it is, whether it is being swaddled in a majority these last number of years, whether it is hearing only good polls, whether it is believing Jean Chrétien, I do not know what it is that is causing the problem over there, but clearly we are going into an election and I do not want to lose the opportunity to make a few comments about how outrageous it is to go—

Mr Kerrio: Then run.

Mr R. F. Johnston: I may be forced to run if things keep going like they did today. I mean, the kind of action that was taken around taking away children's rights today, which was proposed by a minister I thought was progressive over there, is just the sort of thing that might make me want to run in the next election again and forget this notion of retiring.

The government has 94 seats. Not only do they have 94 seats, but also they have not even been here three years as a government and they are planning on roaring off to the people. I am just going to deal tonight with my areas of responsibility, primarily with education, and talk about a government of 94, a gaggle of 94 with less than three years put in that decides it has done what it should on education and it is worth risking all the wonderful things it has done to go to the people.

Let's just look at it. Let's start, for instance, with broken promises. Let's start with a promise made on 11 August before the last election when the Premier promised that that year, that

precise year, 1987, they would reduce the class sizes in grades 1 and 2 to 20 students per teacher and that he would spend for that one item alone almost \$300 million that year. Obviously he had not talked to the member for Brant-Haldimand when he made that promise because even today, three years later, they are nowhere close to the \$300 million. They have not even spent that cumulatively since that time, let alone in that first year.

You look at all the other promises that were in that package and you can say the same thing. Where is the meat? It has not been put forward yet.

Mr Laughren: That does not mean he lied, does it?

Mr R. F. Johnston: I do not think that means he lied, because it would be unparliamentary to suggest something like that.

Mr Laughren: Right on. That is the only reason it does not mean he lied.

Mr R. F. Johnston: It was close. It was very close, Mr Speaker.

Let's look at some of the other matters that are out there in terms of what is going on. We have a Minister of Education—a good friend of mine, I like to think—born in Renfrew county like a number of other stalwart citizens of this place.

Mr Laughren: Not far from Shawville.

Mr R. F. Johnston: Not far from Shawville where Floyd Logarithm, as he was recently dubbed, came from. That member was in opposition for almost as many years as I was, and nowhere near as many years as the member for Brant-Haldimand was, but I cannot believe how inactive that member has become.

Hon R. F. Nixon: Who?

Mr R. F. Johnston: The member for Renfrew North, the Minister of Education. I cannot believe that he is hiding now behind what I would call a sort of loquacious incapacity to move. I do not know if it is all that wonderful verbiage that he has given us—I was going to say spread on us—over the years in this House that has somehow—he is just played out now. There is nothing left. When you are in opposition this long, you want to do something, right? But here we have a Minister of Education who has had a major report, called Vision 2000, on reforming the college system in his hands for the last two months. Has he shared that with this House? Has he told us what he thinks should be done? No, he is hiding. He is hiding someplace. He will not come in here and deal with that.

Hon R. F. Nixon: He is announcing government offices in Renfrew.

Mr R. F. Johnston: He is probably announcing 60 new places in Renfrew rather than dealing with these issues. I agree, that is what he has become, a provincial pot-hole fixer rather than somebody who is policy-driven as I always thought he was when he was on this side.

That is not the only report he is sitting on. This government led us to believe that a select committee on education was seen to be an important thing. There was an election promise: "We are going to look at this education matter seriously." Well, our last report was given in January 1990 and it has direct implications for this Treasurer who wants more money from us now to run the business of the province.

The report had major suggestions for changing some of the problems that exist out there at the moment in education inequi-

ties, and that minister has not responded in this House to it, even though we are now a good 60 days over the 120-day deadline that he is supposed to meet under our standing orders. He knows that our major recommendation is that he should be meeting now with the major partners in education to work out realistic ceilings for the cost of education. He knows that. We said that that has to be completed by 30 August 1990, and he has not even come here to tell us what he is willing to do, let alone met with any of those individuals yet.

I find myself, as a member of the select committee which gave its last report today, saying: "Why on earth do we bother putting in reports? What is the point?" We pointed out a problem in here which is severe, which every member in this House should say needs addressing immediately, that is, the incredible inequity in amount of money spent per student in various areas of the province today.

Let me give some examples. If you live in the city of Windsor, you know your child will have about \$1,000 more spent on that child per year than a resident of Essex county. You may both work in the Chrysler factory and you may both pay taxes through the Chrysler factory which allow that city of Windsor to provide that kind of support. God knows, the province is not paying for that support of education any more, but you and your child will be shortchanged \$1,000 if you live just outside the boundary of the city of Windsor.

It is even worse if you compare a northern community with the city of Toronto. There the gap can be over \$2,500 per student. Think of the effect of that in your classroom in terms of the quality of education, the principles of equality and education in the province. We pointed out that problem in our paper. We suggested there might be some changes made to improve the situation, but the minister will not report to this House, will not do his duty.

We pointed out what is self-evident to everybody, that property tax is paying too much of the burden. Do members not know that now the provincial share has dropped—they can use government stats and say to below 40% or they can use other people's stats and say that 37% of the cost of education now is being assumed by the province compared with the 60% high that there used to be?

An hon member: That is 60% of approved costs.

Mr R. F. Johnston: No, no, no. I am just talking about the real cost in comparison straight across from—read our report. Read the report by the majority members of the government party who signed this report. This was a consensus report. There are places like the city of Toronto that do not get a cent of provincial dollars.

Mr D. W. Smith: Because they have a tremendous assessment base.

Mr R. F. Johnston: You are absolutely right. Exactly.

Mr D. W. Smith: Right.

The Deputy Speaker: Order, please.

Mr R. F. Johnston: Is the member listening to me? Mr Speaker, I know you are listening to me. The member is probably losing touch again. Coming from Lambton as he does, he does not realize perhaps what I was saying. Lambton is in exactly the same position, if not worse, than is the county of Essex in terms of its capacity to pay. Yet the provincial share going to Lambton is down from what it was when that member was first elected. We have a report which identified that and which said

we need action, and the minister is sitting on it and nothing has happened.

All members of this Parliament in 1985 recognized the fact that something was wrong with the special education changes that we brought in. A whole range of things were wrong with it. A public process was brought in, and in 1986 that public process ended and we were told we were going to get amendments to Bill 82, as it was known, in special education.

I have the Hansard here. I will not bore members with it, but the member for Nepean, who has just entered, raised this with the then Minister of Education, the present House leader. He asked him where those amendments were, and the minister said, "I am working on them and they will be out very soon." The first time the member asked that was a year and a half ago. He asked it again this spring and he was told it would be later this fall.

We have been told over that period of two years that it is coming in a month, it is coming in a week, it is coming Monday, yet we have never seen it. This Minister of Education has the gall, knowing what is happening to kids with special needs in this province, depending where you live and how your board interprets that piece of legislation—he knows that by delaying that action further, he is taking away the right to an education, which was the principle of the bill that the member for Kitchener-Wilmot and others fought so hard for in the early 1980s.

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Where is this minister? Why is he not acting on these things? He has other difficult issues—these are not all easy issues, we know that—such as religious education in schools. This government has had a Supreme Court ruling which has told it what the limitations on religion in the schools need to be in our public school system. There is a major report which this minister has been sitting on. I do not know where he hides these things. This afternoon I called it a black hole, because that is what it is like. You pitch a report at the minister and it just disappears for ever. Nothing happens.

How can a government with 94 seats, with less than three years done on its mandate, be sort of sidling up with Captain Canada to the notion that we should be going to an election this summer when it has done nothing on these things, when it has broken the promises I have talked about, when it is now asking students at the post-secondary level to pay 18% of the cost of education, higher than any Tory government? Imagine that as something to hang on to.

I have some of the statistics here. At the moment, universities in Ontario are funded at a level about \$800 less per student than is the average for the other nine provinces in the country. Us the wealthiest province in the country, us the province that says university education is important.

Hon R. F. Nixon: It's all going to SARC.

Mr R. F. Johnston: It's all going to SARC? Give me a break.

The real increase that is happening this year, and the Treasurer knows it—forget the things that were promised in past budgets—is 5%. It is identical to the Canada assistance plan cap and he knows that. The other money that is involved there is money that was promised previous to this, and now that he has won the CAP battle—the Prime Minister has been told he cannot do this unilaterally—I still do not see any major loosening up of the purse-strings to really implement Social Assistance Review Committee the way he said he was going to.

I am not going to go on in terms of the range. I gather the Treasurer does not like it, and I can understand that. But he should think about it as he goes rushing off to the people with the Premier who saved Canada. I think that is the idea. I have to sort of slap myself around a little bit to get that one to go down properly. The Premier who saved Canada is going to go with his 94 members to the people with less than three years, having done what? Having broken all the promises the member for Hamilton East talked about, all the things the member for Nickel Belt has said.

I have only touched a few of the areas that the government has mucked up on in terms of education. Come on. If the Liberals want to be straight with the people of the province, they should finish their mandate, do something that will show they are really a reform government and do not force me to run again.

Hon R. F. Nixon: Actually, I should just accept the congratulations and support from the honourable members and let it go at that, but since under the rules nobody can follow me in this, I thought perhaps I would just refer to a couple of points that have been raised during the last couple of days and peripherally in this debate.

I want to be sure that, as this session draws to a close tomorrow, the honourable members go back to their own constituencies feeling positive about the economic growth that the province is experiencing. It is certainly not as rapid as it has been over the past five years, where the growth has been faster than any other jurisdiction in the Organization for Economic Co-operation and Development.

Our economy, like all major industrial economies, is undergoing considerable change in the face of increasing global competition. Some firms are shrinking while others are expanding. But over the past three years, businesses have invested \$86 billion in Ontario. A further \$33 billion in business capital spending is planned for 1990. In the past few months alone, several major firms have announced substantial expansion plans in Ontario. I want to list just a few of these to ease the concerns that have been expressed by people who are not in possession of the facts.

Northern Ontario: In North Bay, Mirolin Industries will build a new \$15-million bathroom fixtures plant employing 320 by 1992; in Temagami, Pyrok International will construct an \$11-million cement-bonded waferboard plant employing 70; in Smooth Rock Falls, Malette lumber will undertake a \$149-million expansion to its mill creating up to 75 woodland jobs; in Dryden, Canadian Pacific Forest Products is undergoing a \$200-million expansion of its pulp mill.

Eastern Ontario: In Napanee, Goodyear Canada is building right now a \$320-million tire plant expected to employ 800 by 1995; in Brockville, Shell Canada is building a \$50-million lubricants blending plant employing 75; in Hawkesbury, PPG underwent a \$25-million expansion of auto parts plant adding about 75 jobs.

Central Ontario: In Oakville, Ford Canada has announced plans for a \$500-million investment in a new paint shop, and we are hoping there will be even more investment, even though the honourable member for Sudbury, where they do not build many cars, indicates that the auto pact has been gutted, whatever that means; in Barrie, General Tire is undergoing a \$149-million expansion creating 260 new jobs; in Hamilton, Dofasco is constructing a \$450-million cold rolling mill; in Peterborough, Quaker Oats is undergoing a \$28-million expansion creating up to 100 new jobs; in Stratford, FAG Bearings is undertaking a \$45-million expansion creating 200 new jobs.

Southwestern Ontario: In Windsor, besides the announcement today of the Ministry of Labour's relocation to Windsor with 400 solid jobs, which was so well received and for which we appreciate the congratulations of the New Democratic Party by the way, Ford is planning to build a brand-new \$59-million aluminum casting plant expected to create 138 jobs and Chrysler recently announced investments totalling \$300 million at the mini-van assembly plant in Windsor and \$100 million at the Pillette Road truck plant—these expenditures are for engineering and product improvements; Ingersoll, the \$500-million Cami plant, is creating up to 2,000 new jobs and adding new jobs there as the product is selling worldwide; St Thomas, Freightliner is building a new \$32-million truck plant creating over 600 new jobs; Sarnia, Nova is undertaking a \$272-million expansion of ethylene and styrene plants, and that is just the beginning of the list.

I think it is rather ridiculous when people who are critical of the economic development of the province say these are just jobs for hamburger flippers. Mind you, since hamburger flippers vote too, I do not think there is anybody here who wants to denigrate that fine vocation. But these jobs are excellent jobs paying well above the industrial average, and I think we should be aware that, although our rate of growth has slowed from the average of 5% that we have experienced under the main portion of what I choose to call the Nixon boom, it is now coming into an area where the level of growth is not quite as rapid as it has been but is still substantial.

Certain sectors of the economy are facing severe cost pressures and weak markets as a consequence of the federal policy of high interest rates and the resulting high dollar. This policy has been most damaging in interest-sensitive sectors such as durable goods, manufacturing and housing.

It is important, however, to look beyond temporary dislocation in certain sectors. What is of overriding importance is whether the economy as a whole is growing and prospering. Since 1985, real output in Ontario has expanded by 4.9% per year, faster than any of the major industrial nations. Over 700,000 new jobs have been created during this period.

1920

Despite the impact of high interest rates, real growth in the Ontario and Canadian economies has continued in 1990. In the first quarter, the Canadian economy posted a 2.2% annual growth rate. Preliminary data indicate that the Ontario economy expanded as well.

Employment growth has also continued. Private sector forecasts of employment growth for Ontario in 1990 range from 30,000 jobs—that is the low predicted by Scotiabank and Royal Bank—to 64,000 new jobs by the Canadian Imperial Bank of Commerce. Through the first five months of 1990, employment in Ontario was up 45,000 over the same period a year earlier. These are not low-paying, part-time jobs. Three quarters of these newly created jobs are full-time and most of them are above the average.

This is the part that I particularly like: "A simplistic view of taxes on business leads one to conclude that some corporations earn profits but pay no income tax." Mr Speaker, could you imagine anyone coming to that conclusion? We must remember two things: First, the tax system has to account for job creation and capital-intensive activity as well as income; second, income taxes are not the only taxes the corporate sector pays.

On the first point, certain provisions in the Income Tax Act provide incentives to undertake activities that result in increased economic and social benefits to the province. Examples include

investment in research and development, mineral exploration and investment in new manufacturing equipment which creates jobs.

The second consideration is the taxes other than income taxation that corporations pay. These include the capital tax, which is over \$500 million. In question period today I indicated it was \$300 million, but at least I had the presence of mind to say that I might be wrong for the first time.

The insurance premium tax is \$300 million. The commercial concentration tax, the favourite of businesses in the Toronto area, raises \$120 million, land transfer tax \$140 million and the employer health tax, the tax that presents so much fairness and equity on the tax base of the province, \$2.6 billion.

Corporations also pay retail sales tax on their business inputs. It is estimated that businesses will pay about \$3 billion in retail sales tax in this fiscal year. This represents about one third of Ontario's total RST revenues. Provincial tax revenues from the Ontario corporate sector therefore total over \$11 billion in this year.

Members should also be aware that the share of total provincial revenues accounted for by corporation taxation has increased from 22.8% in 1987 to 25% in 1990. Tax reform changes should reinforce an appropriate sharing of revenues from people and business.

I believe the province has struck an important balance in corporate taxation. On one hand, businesses are paying their fair share of revenues to help fund important social and economic programs from which all society benefits. On the other hand, we are confident that our tax system is competitive with those of competing jurisdictions. As an exporting jurisdiction, we must be careful to maintain this competitive balance to ensure future job growth and prosperity.

I bring that to your attention, Mr Speaker, in a fairly orderly way, so that Hansard, which always gets these things correct and ignores the ill-informed interjections, will be available to many people, maybe about 130 people some time in the next few months, who will want a record of the economic and developmental accomplishments of this government. There may be occasions when those people who are less well informed would be critical of our initiatives, and we want to be sure that those people who understand and want to support the initiatives will have the appropriate information available.

I appreciate the support that has been extended from the New Democratic Party—evidently no one has provided any supper for its members, so they are still sitting in here—and the Progressive Conservative Party which, before it totally vacated the Legislature, said it supported the government's initiative in this matter. Because of that, my remarks will be rather truncated and incomplete, but I simply close them by expressing my thanks to all members who have assisted in this matter.

The Deputy Speaker: The Treasurer has moved interim supply. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

ENVIRONMENTAL PROTECTION STATUTE LAW AMENDMENT ACT, 1990 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 220, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act.

Mrs Grier: When we adjourned the debate the other day, I had finished saying that we on this side welcomed this particular piece of legislation and intended to support it. I had pointed out in my remarks that we still did not feel that it was necessary for the minister to have amendments to the Environmental Protection Act in order for him to have prevented the Hagersville tire fire, but we certainly appreciated the fact that in attempting to plug what he alleged was a loophole, he has in fact provided some increased protection to the environment by way of these amendments and has in many ways enhanced the existing Environmental Protection Act.

Having said all of that several days ago, I would now like to turn to what we consider to be some glaring omissions from this legislation. The principal omission is that of any ability for the general public to be informed or to participate in the implementation of the orders that the Minister of the Environment may move. We have in this bill provision for the minister to move in and to do some work; we have provisions when a control order is issued that if it is not obeyed, the minister can take some very strict and very quick action to ensure that it is obeyed, but nowhere do we have any provision that the public be informed of the fact that a control order has been issued.

That is a glaring omission because it prevents the public from questioning the nature of the control order, whether in fact it is adequate to correct the situation, which has probably come to the ministry's attention by way of complaints from the community. We know that the ministry infrequently picks up on issues of its own accord. It is usually as a result of a complaint that the ministry gets involved in the first place. They do their inspection, they agree that there is a need for action to be taken, they issue a warning. If that warning does not result in action, they then issue a control order, but nowhere do they feel it necessary to inform the person who probably first complained, the surrounding neighbours of the site under which a control order has been issued, or even the municipality involved.

We saw certainly in Hagersville where the neighbours had written to the Minister of the Environment some years before the tire fire saying, "You've got to do something about this problem." No action was taken. I say it is a glaring omission that there are no provisions for any public involvement in the recommendations contained in this bill.

Big Daddy, the Ministry of the Environment, is going to do it all for us, and if we just trust the ministry, everything will be all right, appears to be their attitude, but we have no evidence that encourages us to place that degree of trust in the Ministry of the Environment. We saw, in fact, in the Hagersville situation that they could not be trusted to make sure that their control orders were followed and that serious environmental problems were not prevented.

We know from long and bitter experience that it is not enough merely to have good legislation and that legislation is not worth the paper it is written on if it is not properly enforced and if there is not vigilance in making sure the provisions of the legislation are lived up to. We have no guarantee that the enforcement and implementation will be any better under these amendments than they were under the existing act.

So the absence of any way for the public to have the right to monitor the actions of the ministry and to be involved in discussions about the nature of the control orders is something that indicates yet again this government's refusal to give the members of the public the environmental rights which it promised when in opposition and which this government, in the last two elections, indicated it would support but has consistently failed to support when I have put an environmental bill of rights

before this House in the past. Its actions in refusing to include those kinds of amendments in this bill indicates its lack of support for extending environmental rights.

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I will be moving amendments that will try to redress that glaring omission and I hope I will have support from those members of the government who truly believe the public has a right, not only to be involved but to know about what its government agencies are doing, particularly when it comes to the protection of the environment.

I will be moving an amendment that requires the municipality to be notified and that requires notification in the press so that surrounding residents and interested parties may be informed of the action that the Ministry of the Environment may be taking.

As I say, I have had before this House an environmental bill of rights which would have filled the loophole that the ministry is still leaving in this legislation. I have also had before this House a safe drinking water act and I think it is interesting, when one looks at Bill 220, to see that the ministry is prepared to commit itself to providing alternate water supplies to communities which may find their water supplies endangered by environmental contamination.

But again, because we do not have safe drinking water legislation in this province, there are no standards against which to measure the need for safe drinking water. There is nothing in this act that gives the public the right to say, "We demand safe drinking water because we are not satisfied that the quality of our water is beneficial to our health." It is again entirely up to the ministry to decide whether or not the provision of drinking water is required and for how long the provision of drinking water is required. The guidelines that presumably will be used in order to determine whether or not a supply of drinking water is required to be delivered to residents are merely guidelines, because we have no legislated standards for drinking water in this province. It is a promise that was made many times by the Liberal Party in opposition, and again, a promise unfulfilled. It is strictly up to the director to decide whether or not safe drinking water will be provided. There is no yardstick against which that decision can be measured.

The Hagersville tire fire prompted this legislation. It is worth while as far as it goes, but what causes me concern is, if it takes a disaster of the scale of the Hagersville tire fire to prompt a review of the Environmental Protection Act and if, in that review, so many deficiencies can be found that we are not just plugging the loopholes the minister said existed that prevented him from acting on Hagersville but a number of other provisions, worth while though they may be, do we get no further review of that legislation until there is another disaster? Is every improvement of environmental legislation to be crisis-driven?

Is that the kind of environmental protection this government, which came to power with a mandate to be as tough as it wanted against polluters, a mandate which it has not fulfilled—is that how we are going to get improvements in environmental legislation? If that is the case, it is a sad day for this province. What we have before us today is a small step forward. I hope it will not take another disaster before we see a much bigger step forward on the part of this government.

Ms Bryden: I would like to underline what the member for Etobicoke-Lakeshore said on this bill: that it is needed, but it is very late in coming in. There are still many potential tire fires around the province and the ministry is not moving quickly

enough, I think, to isolate those areas, to put particular security measures on them to prevent any mischief fires and to protect us from another fire similar to the one that sparked this bill. If it has to take a fire of that disaster to get the ministry to act, it certainly shows that the Ministry of the Environment is asleep at the switch.

Mr Sterling: I find a great deal of pleasure in talking with regard to this bill, as I do with any other environmental concern. As many members may or may not know, I had a fair responsibility, when I was Provincial Secretary for Resources Development in the last government, to be responsible for the planning of the Niagara Escarpment. I believe that the international award that the escarpment received this year in some ways reflects, in a small way, the amount of effort and the commitment that I put forward towards our environment in that park.

I want to say that our party does support the efforts of the ministry to plug the loopholes which became evident in the Hagersville tire fire. It is unfortunate, I guess, that the present approach with regard to dealing with environmental problems continues on in a manner and in a fashion which have been the history of our problem; that is, that we rely basically on the government to enforce environmental standards.

It is my feeling that perhaps at this time we should start to explore different kinds of methods of enforcing environmental standards. I believe that, for instance, the residents and the people of the Hagersville area should have the right, as a group, to sue the owner of the site for the damage done to their environment, the dislocation that was involved, and perhaps they should have to the right also to sue the Ministry of the Environment for not carrying out its duty in ensuring that things were taken care of in that area.

Right now, we have a double standard. We have here today a law that is going to increase penalties for people who pollute the environment from \$100,000 to \$200,000 for the first offence, and from \$200,000 to \$400,000 for the second and subsequent offences. Yet, I read in the Ottawa Citizen today that the Ministry of the Environment itself is probably one of the greatest polluters that we know of in this province. I refer, of course, to the ministry-owned and -operated Carleton Place sewage treatment plant, which ranks as one of the worst polluters in this whole province. In spite of the evidence which has been in front of the Ministry of the Environment and inspectors, there have been no charges laid against the ministry for, in fact, what has been an abysmal situation, polluting the Mississippi River, which flows into the Ottawa River, to unprecedented levels.

It seems that even though we, as politicians in this Legislature, would have the greatest intentions in terms of what we might like to do, perhaps we need some outside influences and outside mechanisms which will enforce laws against polluters, even if it is the Ministry of the Environment itself which is responsible for running the sewage plant in Carleton Place.

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It is interesting that the inspection of the plant in Carleton Place turned up 27 separate deficiencies in operation, ranging all over the place in terms of their seriousness, but no charges were laid. It is very difficult for an inspector of the Ministry of the Environment to lay a charge against his own minister. What I am saying is that the Ministry of the Environment and the government of Ontario have assumed the significant role in not only regulating what must happen in this province but also operating various agencies which are producers of pollution.

What I would like to see the Minister of the Environment embrace is something akin to what the member for Mississauga South brought forward yesterday in this Legislature, and that is a right of citizens to group together, to band together to sue a polluter in common, be it an individual corporation, be it an individual person or be it the Ministry of the Environment, as is the case in Carleton Place, that is one of the worst polluters in all of Ontario. Quite frankly, it is closing beaches along the Mississippi and probably attributing to the closing of some of the beaches in the Ottawa River.

We have a very complicated and a very sad situation where we have the Minister of the Environment being one of the greatest polluters. I have witnessed and observed this Minister of the Environment over the last five years, and his answer to many of the problems that we face in the environment seems to be, "Let's increase the penalties for the people whom we charge." I think the public out there would say: "Yes. Let's really get those people. Let's really put it to them." The problem is, that does not really solve the problem of the particular pollution that is being complained of. Quite frankly, the problem of penalties comes about in that those moneys that are collected for those penalties do not go back into the Ministry of the Environment. They go into the general refund fund and do not necessarily have anything to do with remedying the problem that first existed.

This Treasurer has taken a role in saying: "I want all of the money from all of the revenue sources put into my one bank account which is going to be over there. I am not going to allow the taxpayers the right to pay into one specific tax fund or one lottery fund or one penalty fund to assure them that the money is going to be paid out for environmental concerns." I think we see the total farce of the tire tax exhibited in the Hagersville tire fire. I am sure it has been told here before that prior to that fire, the Treasurer had in his hand, in that general bank account, somewhere around \$45 million, and he had spent \$1 million to deal with the issue.

This legislation should have been in front of this Legislature two years ago, or when the tire tax was introduced. It should have given the right to the minister to go in and remedy a situation and deal with the problems after that in terms of compensation, in terms of what had been done with regard to private property owners' rights. Quite frankly, I have no problem, and I would disagree with some members of this Legislature. When an environmental concern is identified, the government should act. It should act swiftly and it should act, in terms of dealing with it, in a generous way, from the Treasury, solving that environmental problem.

We in this party have identified, as I am sure other political parties have, that the environment is of paramount concern to the people of Ontario. We believe that while this government is parodying that, it is spending something like 112% more in its Ministry of the Environment budget than it did in 1985. I only need remind members of the Liberal government that it is collecting 130% more tax revenues at this time. In effect, in its expenditures, even on an issue that has been identified by the public as being paramount in terms of its concern, this government is spending less on the environment than it is in terms of the general bank account, the taxes it has collected from the people of Ontario over the last five years.

I have no problem with the Minister of the Environment asking for two or three times that budget, if that is what he needs to address the problem. I have problems with this Ministry of the Environment, this Liberal government, that the answer to every problem is to increase the penalties or the fines

against the polluters. I know it may not be politically popular to say they should not be increased. Who is going to argue against the fact that you should chastise, that you should penalize those people who have no regard for our environment? I have no argument against that, but that does not address the problem of fixing up the environmental problems we have in this province.

I requested some time ago from the Minister of the Environment—I asked him who was responsible for the water quality in the rivers of our province. Do members know what? Nobody is responsible for the water quality in our province. The Ministry of the Environment identifies point sources of environmental concerns, but nobody in this province is responsible, for instance, for taking samples out of the Mississippi River, out of the Rideau River, out of any of the other internal watersheds of our province and saying: “At the mouth of these rivers we identify that the water quality is of a very negative nature. We must find out all of the sources of pollution in order to clean up this water.” The Ministry of the Environment has not taken on that role.

I asked the conservation authorities, who I believe should be responsible for the water quality of our river courses, in southern Ontario in particular, because many of them have a much greater knowledge of the water courses in southern Ontario than our Minister of Natural Resources. For instance, the Minister of Natural Resources gave to the Mississippi Valley Conservation Authority, which is responsible for the Mississippi River, which is where the pollution from Carleton Place is going in, \$500 last year to deal with monitoring and water quality in that river basin.

If we want to deal with pollution and environmental problems in a reasonable fashion, we must have a structure. We must have hard decisions, hard political decisions made that outline our goals and the fact that we are going to have to step on the toes of various interest groups in order to achieve those interests.

I am concerned about this bill in terms of its being a patchwork, trying to close up some holes that were there. We do not see legislation from the minister or other ministers dealing with real problems.

The members from Ottawa-Carleton will know that we have had disputes and concerns over wetlands in Ottawa-Carleton. We have had a paper that has been on the table for two years, by the Minister of Natural Resources, dealing with wetlands in Ontario. They have identified class 1 wetlands, yet the Minister of Natural Resources fails to convince the Minister of Housing to declare a wetlands guidance policy for the province of Ontario under section 3 of the Planning Act.

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Consequently, townships like West Carleton and cities like Gloucester are having difficulty in allowing development to go ahead, knowing that in fact there is this government document that is floating around, but has no legal effect on their zoning or their planning for the future.

What we have, I feel, in this bill is an admission. It is an admission of a lack of foresight on the part of not only the Minister of the Environment, but the Minister of Natural Resources and the Minister of Housing to form comprehensive strategies to deal with future problems. It is not difficult to go back, look over your shoulder and say: “We had a disaster. Let’s plug those loopholes.” It takes a little bit of work to do it and we are supportive of plugging those loopholes.

We think this is basically good legislation and find little to complain about it, but we do wish that the Minister of the

Environment would not be looking over his shoulder, but would be looking to the future as well.

Mr Adams: I listened with great interest to the member for Carleton. I must say, and I am sure it is my fault, that it is the first time I have heard him speak at length about the environment. I listened with considerable interest to what he had to say. I am glad, as he said at the beginning and the end, that very carefully he is generally supportive of what we are doing. We all know that hindsight is, of course, 20-20. I think from what I have heard we all agree here that we should learn lessons and should build on them. That is what we are trying to do in this legislation.

I noticed the member for Carleton focused on the sections of the bill that deal with penalties. He went on at some length and I lost him somewhere in his discussion about those things. I tend to agree that where there are penalties they should be clear. The people who pay those penalties should know perhaps that the fines they are paying go to the cause concerned.

I would point out to him that previous amendments to the Environmental Protection Act, and I think to the other two pieces of legislation with which the Minister of the Environment is involved, have allowed convicting judges to require the accused to remedy polluting problems and orders of that type have actually been made.

To be honest, I am very interested in this matter of penalties because I believe the government is a very interesting mixture of carrots and sticks. I think that a lot of the success of government is in the choice, the balance between the use of sticks, such as the penalties in this legislation, and inducements, carrots of various sorts, to persuade citizens to move in certain directions.

I think that in the Ministry of the Environment we have tried to balance those things. Our blue box program, for example, has deliberately been voluntary and we have tried to encourage people to participate rather than forcing them. This is a judgement call, I understand, and I appreciate the member’s remarks about that.

I noticed he mentioned group actions in the early part of his remarks. I think he knows that the Attorney General’s bill, the Class Proceedings Act, will provide for group actions, I think of the type he was discussing. That bill is now at the first reading stage. It will be interesting to see where it goes.

I was also very interested in the member for Etobicoke-Lakeshore’s remarks both this evening and the other day. I have almost forgotten when we began dealing with this important bill. As parliamentary assistant and before that as a member, I have watched the member for Etobicoke-Lakeshore, both in, for example, estimates in committee and in her question and answer bouts, I might say, with my minister. I have followed her personal involvement with various bills, some of those which she mentioned, with great interest.

I was particularly glad, I might say, the last day, but a little less today, that she too is basically supportive of this legislation. I am glad and I can see that she identifies with it a bit because she sees something of herself and her own work in it. I would be the last to say that there is not some part of the member for Etobicoke-Lakeshore’s work in this important legislation.

I was surprised, though, that she was surprised, for example, at the strength of the access provisions, because I think if she had been watching this side of the House as closely as we have been watching that side of the House she would have realized that we have great interest in these things too. The strength of the access provisions here is something which, I think, she should have expected rather than being surprised at.

The member for Etobicoke-Lakeshore said this is a small step. I consider that a compliment from the member for Etobicoke-Lakeshore. It is a very important small step, I would say. I look forward to addressing some of the amendments she mentioned as we proceed with this legislation.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

ENVIRONMENTAL PROTECTION STATUTE LAW AMENDMENT ACT, 1990

Consideration of Bill 220, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act.

Mr Adams: Mr Chairman, may I come to the front of the House and may I have staff accompany me there?

Agreed to.

The Second Deputy Chair: As the parliamentary assistant is taking his place, I want to remind members that the committee, on beginning Bill 220, has the opportunity of allowing the representative for the minister or the critics to have opening statements. Considering we have just dealt with it on second reading, that might not be necessary. I would expect we can move right to section 1. I know the honourable member for Etobicoke-Lakeshore had indicated that she had some amendments. Reviewing what is before me in terms of amendments, I see that the government has proposed an amendment to section 12.

Sections 1 to 11, inclusive, agreed to.

Section 12:

Mr Adams: On section 12, section 124h of the Environmental Protection Act, we have an amendment that simply deals with the situation in which we find ourselves with regard to court reform and the change in terminology of the courts.

The Second Deputy Chair: Mr Adams moves that section 124h of the Environmental Protection Act, as set out in section 12 of the bill, be amended by striking out "Ontario Court (General Division)" wherever it appears and substituting "District Court."

Mr Sterling: I would just like to say that I myself and my benchmate are in favour of this amendment.

Motion agreed to.

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Mr Adams: I have another amendment to section 12 and it deals with subsections 124i(3) and (4) of the Environmental Protection Act. This deals with the provision under the bill for claiming, through the property tax, expenses deriving from a problem such as the one we had at Hagersville.

The Second Deputy Chair: Mr Adams moves that subsections 124i(3) and (4) of the Environmental Protection Act as set out in section 12 of the bill be struck out and the following substituted:

"(3) A lien created under subsection (2) in favour of a municipality is not an estate or interest of the crown within the meaning of clause 9(5)(b) of the Municipal Tax Sales Act, 1984.

"(4) Subject to subsection (4b), money collected in accordance with subsection (2), less the costs reasonably attributable

to the collection, shall be paid by the municipality to the Treasurer of Ontario.

"(4a) In subsections (4b) and (4c), 'cancellation price' has the same meaning as in the Municipal Tax Sales Act, 1984.

"(4b) Where there is a sale of land under the Municipal Tax Sales Act, 1984, and amounts are payable out of the proceeds to the Treasurer of Ontario under this act, the Fire Marshals Act or the Ontario Water Resources Act, those amounts shall not be paid until after payment of all other amounts payable out of the proceeds in respect of the cancellation price of the land.

"(4c) Despite any provision of the Municipal Tax Sales Act, 1984, the treasurer of a municipality may sell land under that act for less than the cancellation price, so long as the land is not sold for less than what the cancellation price would have been but for this act, the Fire Marshals Act and the Ontario Water Resources Act, and the purchaser may be declared to be the successful purchaser under the Municipal Tax Sales Act, 1984."

Mrs Grier: Can the parliamentary assistant explain the difference of these amendments to what would have existed under the amendments as drafted in the bill.

Mr Adams: I will attempt to do so. I appreciate the question. As I understand it, it is a question of the priority of the claimants of funds under the property tax. This, as I understand it, allows the municipality to make its fair claims against the land, the property tax, and then the government of Ontario, under this act, to make its fair claims. A note is going to be passed to me. I see that the note here explains slightly more clearly than I did that the crown comes in front of a previous owner.

The Second Deputy Chair: Is everyone happy with that explanation?

Motion agreed to.

Section 12, as amended, agreed to.

Sections 13 and 14 agreed to.

Section 15:

The Second Deputy Chair: It has become evident that we have an amendment to section 15. I might remind the parliamentary assistant that it is in order to first read the section and then explain the meaning.

Mr Adams: Thank you for that kind advice, Mr Chair.

The Second Deputy Chair: Mr Adams moves that section 48h of the Ontario Water Resources Act, as set out in section 15 of the bill, be amended by striking out "Ontario Court (General Division)" wherever it appears and substituting "District Court."

Mr Adams: This is exactly the same amendment that we made previously to the Environmental Protection Act. We are now making it to the Ontario Water Resources Act and it deals with the matter of the terminology of the courts that I mentioned.

Motion agreed to.

The Second Deputy Chair: Mr Adams moves that subsections 48i(3) and (4) of the Ontario Water Resources Act, as set out in section 15 of the bill, be struck out and the following substituted:

"(3) A lien created under subsection (2) in favour of a municipality is not an estate or interest of the crown within the meaning of clause 9(5)(b) of the Municipal Tax Sales Act, 1984.

"(4) Subject to subsection (4b), money collected in accordance with subsection (2), less the costs reasonably attributable to the collection, shall be paid by the municipality to the Treasurer of Ontario.

"(4a) In subsections (4b) and (4c), 'cancellation price' has the same meaning as in the Municipal Tax Sales Act, 1984.

"(4b) Where there is a sale of land under the Municipal Tax Sales Act, 1984, and amounts are payable out of the proceeds to the Treasurer of Ontario under this act, the Environmental Protection Act or the Fire Marshals Act, those amounts shall not be paid until after payment of all other amounts payable out of the proceeds in respect of the cancellation price of the land.

"(4c) Despite any provision of the Municipal Tax Sales Act, 1984, the treasurer of a municipality may sell land under that act for less than the cancellation price, so long as the land is not sold for less than what the cancellation price would have been but for this act, the Environmental Protection Act and the Fire Marshals Act, and the purchaser may be declared to be the successful purchaser under the Municipal Tax Sales Act, 1984."

Motion agreed to.

Section 15, as amended, agreed to.

Sections 16 to 23, inclusive, agreed to.

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The Second Deputy Chair: Mrs Grier moves that the bill be amended by adding the following section:

"23a. The act is further amended by adding the following section:

"120a(1) When the director makes an order or decision under this act of a class prescribed by the regulations, the director shall,

"(a) serve notice of the order or decision, together with written reasons therefor, on the clerk of any local municipality in which there is land on which the order or decision requires something to be done, permits something to be done or prohibits something from being done; and

"(b) cause a copy of the notice and reasons to be published once a week for two consecutive weeks in a newspaper of general circulation in each locality that may be affected by the order.

"(2) A person may, by written notice served on the director and the board within 15 days after the second notice is published under clause (1)(b), require the board to hold a hearing in respect of the order or decision.

"(3) A hearing required under subsection (2) in respect of an order or decision shall be consolidated with any hearing required under section 121 or 122 in respect of the same order or decision if, in the opinion of the board, it is practical to do so."

Mrs Grier: This is the amendment which will put in place what I indicated on second reading I felt was lacking from the bill; namely, any requirement that the public or even the municipality in which a piece of land about which a control order is being directed—there is no provision for the public to be notified of the fact that this action is occurring. The effect of my amendment would require notice to be given to the clerk of the municipality, I think a very reasonable request, and second, cause a copy of the notice to be published in the local newspaper.

The consequence of that notification therefore is to enable the public to be aware of the fact that a control order has been issued, and then subsections 2 and 3 follow from that; namely, that having been made aware of what is occurring, the public

has a right to require a hearing, at which time it may make representations to both the minister and to the offender as to the nature of the control order, and subsequently, of course, if a hearing is granted, that citizen may be a party to that hearing.

These are exactly the kinds of environmental rights that I have called for in this House every time this government has presented environmental legislation and I regret that in the past it has not been totally accepted by the government. I am sure that in the new mood of preparing for whatever the summer may bring, there will be complete concurrence with this amendment and I look forward to its support.

Mr Sterling: I just have one practical matter to raise. I do not disagree with the amendment and I am supportive of it because it gives knowledge, but with respect to the part where one causes "a copy of the notice and reasons"—and I underline "and reasons"—"to be published once a week for two consecutive weeks in a newspaper of general circulation in each locality that may be affected," I have no idea, and perhaps the parliamentary assistant for the Minister of the Environment can in some ways tell me, what the length and verbiage might be in terms of the reasons.

I would not like to put the onus on a relatively small municipality, for instance, to take up five pages of a newspaper and incur unnecessary costs if that is likely to happen. That would be my concern. I would like the public to have the right to go to the municipal council office and get the reasons and that there be notice that that had happened. I think the director should be responsible for providing reasons to the municipal clerk, but I am just a little concerned about the practicality of that part of it.

Mr Adams: We too are concerned about some parts of this amendment, although there are some parts that we agree with. The member for Carleton's point about a very complex and very long ad is one that, to be honest, I had not thought of, but in terms of the expense and delay of newspaper advertising, I think we have to imagine, if you like, a Hagersville situation and how the government should be able to move. What is the object of this evening's exercise? The expense and delay, the delay in particular, we are concerned about.

Also there is the matter of third-party appeal. We have some concern about that. We are, as members know, allowing for third-party involvement in the proceedings, but third-party appeal again to us implies a delay and we are concerned about that part of the amendment.

I am not sure when it is appropriate to do so, but we do in fact have an amendment to the amendment, which perhaps at some point you would care to consider, Mr Chairman.

The Second Deputy Chair: Is that full discussion on the proposed amendment by the honourable member for Etobicoke-Lakeshore?

Mrs Grier: Could I respond to the points made by the member for Carleton, merely to point out that it is my intent that the notice would be published by the Ministry of the Environment. The onus would not be on the clerk of the municipality to publish the notice in the press. The onus would be to be on the ministry to provide the clerk with information and also to publish the information in the press.

With respect to the complexity of it, in my discussions and prior to drafting this amendment with the ministry, they pointed out to me that a control order could be for a very minor matter, which is why the amendment says that this requirement exists only in the case of control orders of a class prescribed by the regulations, the intent being that we would weed out the routine

and very minor matters by not prescribing in the regulations that notice would have to be given of them.

The parliamentary assistant's argument of this causing unnecessary delay I find very difficult to accept in light of the fact that the control orders on the Hagersville fire were stayed for two, nay, two and a half to three years, by virtue of the fact that the proponent was able to appeal them. We have now eliminated that by virtue of this legislation and the reverse onus that it implies, but I think for the kinds of situations that would be envisaged by the regulations, in weighing the desirability of public information and knowledge against the delay for a further 15 days of something that I suspect has been in existence for quite some time before the ministry gets to the point of issuing a control order, it is not an argument I am prepared to accept.

Mr Sterling: My concern becomes a little less when I find that the Ministry of the Environment is responsible for the advertising, but it is none the less a concern in terms of total tax dollars. I am no more anxious for the Ministry of the Environment to be spending money on things than anyone else. I just wonder whether or not a long reproduction of reasons going on for pages and pages is really necessary in order to give the public notice of what is going on. I think the notice is the most important part. Notwithstanding that, I support the other parts of the amendment.

The Second Deputy Chair: The parliamentary assistant, speaking to? Although I would advise him, sometimes it is worth while not to bother.

Mr Adams: I do have an amendment to the amendment.

The Second Deputy Chair: Okay. Here is what I would suggest: Reviewing what the honourable member has put forward and the proposed government amendment, which amends the honourable member's amendment, I was wondering if it might be in order if we first put to the committee your first amendment, which would probably lose. That way, the government would not put forward its amendment to your amendment, but your second amendment, I believe, is in accordance with the government's proposed amendment to your amendment.

Mrs Grier: I have no objection to either method of procedure. I am happy to do it the simplest way possible.

The Second Deputy Chair: Let's see if we can get it done.

Mr Adams: We would prefer to proceed with the amendment to the amendment and then deal with the amended amendment.

Mrs Grier: Do I take it in that case the government can say it was their amendment, not my amendment, Mr Chair?

The Second Deputy Chair: I guess so. We tried.

Mrs Grier: The principle is more important than the ownership; I agree.

The Second Deputy Chair: What is the amendment to the amendment?

Mr Adams: I appreciate the remarks, as amended.

The Second Deputy Chair: Mr Adams moves that section 120a of the Environmental Protection Act, as set out in Mrs Grier's motion adding section 23a to the bill, be amended by striking out "and" at the end of clause (1)(a), by striking out clause (1)(b) and by striking out subsections (2) and (3).

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Mrs Grier: I regret that the moving of the amendment indicates the government is not prepared to accept the wider notice that is envisaged in my amendment, but I am prepared, of course, to support the subamendment and regret the process that I thought we had discussed before coming into this place that would have allowed my amendment to be the one, but as I say, the principle of establishing the fact that at least a municipality is informed of the actions is I think a very important one and I am very glad the government is prepared to accept that.

Mr Sterling: I would like to ask the parliamentary assistant, what is the objection to the publishing of some kind of notice of what has gone on? Are they of such a minor nature that they would not be of general interest to the public or—

Mr Adams: I am advised that many are in fact of minor nature, because there have been public hearings ahead of time, so the things are in fact quite widely known.

The Second Deputy Chair: Is it the pleasure of the House that the amendment to the amendment carry? Carried. Shall Mrs Grier's amendment, as amended, carry? Carried.

Motion agreed to.

The Second Deputy Chair: So you got one anyway, Mrs Grier.

Mrs Grier: We take the crumbs where we can.

The Second Deputy Chair: Now we have 24a.

Mrs Grier: In view of the fact that my amendment to 23a did not carry, 24a is no longer relevant, because that was to enable the party who had been advised to be a party to the hearing.

The Second Deputy Chair: It would appear we have no further amendments from section 24 up to section 33 and then you have another amendment, so, being very careful, parliamentary assistant, do you follow me?

Sections 24 to 33, inclusive, agreed to.

Section 34:

The Second Deputy Chair: Mrs Grier moves that section 34 of the bill be amended by adding the following subsections to section 61 of the Ontario Water Resources Act.

"(2d) When the director makes a notice, direction, report, order or other decision under this act of a class prescribed by the regulations, the director shall

"(a) serve notice of the notice, direction, report, order or other decision, together with written reasons therefor, on the clerk of any local municipality in which there is land on which the notice, direction, report, order or other decision requires something to be done, permits something to be done or prohibits something from being done; and

"(b) cause a copy of the notice and reasons to be published once a week for two consecutive weeks in a newspaper of general circulation in each locality that may be affected by the order.

"(2e) A person may, by written notice served on the director and the Environmental Appeal Board within 15 days after the second notice is published under clause (2d)(b), require the Environmental Appeal Board to hold a hearing in respect of the notice, direction, report, order or other decision.

"(2f) A hearing required under subsection (2e) shall be consolidated with any hearing required under subsection (2a) in respect of the same notice, direction, report, order or other decision if, in the opinion of the Environmental Appeal Board, it is practical to do so.

"(5) A person entitled to require a hearing under subsection (2a) in respect of a notice, direction, report, order or other decision is a party to any hearing required under subsection (2e) in respect of the same notice, direction, report, order or other decision."

Mrs Grier: This merely amends the Ontario Water Resources Act in the same way as I had attempted to amend the Environmental Protection Act, to provide for notice to be served on the municipality and published in a local newspaper so that the public at large may be aware of control orders issued by the director.

Mr Sterling: I believe I have heard this song once before. I was wondering if I am going to hear the same song from the other side again.

The Second Deputy Chair: Well, let's hear.

Mr Adams: Mr Chairman, as you know, this bill deals with the Environmental Protection Act and the Ontario Water Resources Act. We have been dealing with two sections. This is, as the member for Carleton so astutely observed, exactly the equivalent of the discussion we had with respect to the Environmental Protection Act. I have the same amendment to the amendment.

The Second Deputy Chair: Mr Adams moves that subsection 61(2d) of the Ontario Water Resources Act as set out in Mrs Grier's motion to amend section 34 of the bill be amended by striking out "and" at the end of clause (a) and by striking out clause (b).

Mr Adams further moves that subsection 61(2e), (2f) and (5) as set out in the same motion of Mrs Grier be struck out.

Mr Adams: My remarks would be the same as my remarks to the previous amendment to the amendment.

Mr Sterling: Ditto for me.

The Second Deputy Chair: Shall the amendment to the amendment carry?

Motion agreed to.

Section 34, as amended, agreed to.

The Second Deputy Chair: That would appear to be the termination of the bill without further amendments.

Sections 35 to 39, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Mr Adams, the committee of the whole reported one bill with certain amendments.

LAW SOCIETY AMENDMENT ACT (INSURANCE), 1990

Mr Polsinelli, on behalf of Mr Scott, moved second reading of Bill 164, An Act to amend the Law Society Act with respect to Insurance.

The Deputy Speaker: Does the parliamentary assistant have an opening statement?

Mr Polsinelli: Mr Speaker, it will please you to know that I do have an opening statement. I am pleased today to move

second reading of the Law Society Amendment Act (Insurance), 1990.

The purpose of this legislation is to enable the Law Society of Upper Canada to own shares in an insurance company or to hold a membership interest in a mutual insurance company that offers professional liability insurance to lawyers.

We believe that the law society has a duty to its members and to the public to ensure that a stable and comprehensive professional liability insurance system is maintained. However, since the law society assumed responsibility for arranging professional liability insurance for practising lawyers in 1971, difficulties have been encountered with its placement. This instability has caused concern about the long-term availability and affordability of lawyers' errors and omissions insurance.

Recently, as a result of the high renewal rate requested by its former insurer, the law society turned to the London market and placed its risk with Lloyd's of London. As Lloyd's is in the business of reinsurance, it agreed to insure the law society only if it would incorporate its own insurance company prior to the 1 July 1990 renewal date. The right of the law society to do so would be clarified in this legislation.

In addition to enabling the law society to place its risk with Lloyd's at a favourable rate, the incorporation of its own insurance company would enable the law society to gain access into the reinsurance market, which would provide the society with better control over rates and coverage in the future.

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While at present there are very few primary insurers that are prepared to assume the law society's risk, there are numerous reinsurers that would be prepared to provide insurance at more competitive rates. The incorporation of its own insurance company would also provide the law society with greater flexibility in structuring and administering its professional liability insurance program. Further, it would enable the law society to control policy wording, terms and conditions in order to better reflect the profession's and the public's interests.

It is interesting to note that a number of other provinces in Canada, as well as England and Wales, have recently authorized their law societies to incorporate their own insurance companies. It is our view that a similar course of action should be followed in Ontario in order to better ensure that a stable and comprehensive professional liability insurance program is in place for the protection of the public in Ontario.

Mr Reville: On behalf of the New Democratic Party, let me begin by saying that we have had ample cause of late to be very dissatisfied with the Liberal government's approach to the question of insurance. However, in this connection we agree that legal errors and omissions can pose serious risks and we support this legislation because it will protect the public against loss.

Mr Sterling: We are fully supportive of this bill. I think it is important that the Law Society of Upper Canada is dealing not only with its own members, I understand that the bars of smaller jurisdictions like the Northwest Territories and Newfoundland are also going to be involved in some way along with the same mutual insurance company, or that is a prospect in the future. I congratulate the Law Society of Upper Canada in terms of not only putting this thing together, of not only looking at it for the public of Ontario; in effect, it is protecting the public of Newfoundland and the Northwest Territories where those organizations are not large enough to undertake this kind of venture. Therefore, we are fully supportive of this

legislation, and would like to see it in place before 1 July, which I understand is a very important day as the previous insurance lapses at that time.

Motion agreed to.

Bill ordered for third reading.

CONSTRUCTION LIEN AMENDMENT ACT, 1990

Mr Polsinelli moved, on behalf of Mr Scott, second reading of Bill 215, An Act to amend the Construction Lien Act, 1983.

The Deputy Speaker: Would the parliamentary assistant have an opening statement?

Mr Polsinelli: Mr Speaker, again I am going to please you by having an opening statement.

The purpose of this bill is to reverse the recent Court of Appeal decision known as *Jerry's Asphalt Paving Ltd and J-AAR Excavating Ltd v Core Developments Ltd*. The case dealt with the entitlement to the owner's holdback. As we all know, a holdback is the 10% of the price that each payer on a construction contract or subcontract is required by the act to retain temporarily. For example, home owners having renovations done are required to withhold 10% from the contractor for 45 days after the last work is done to provide limited security for subcontractors and material suppliers to the contractor and also to protect themselves from the lien claims of those subcontractors and material suppliers.

In *Jerry's Asphalt*, the court altered what was commonly considered to be a limitation on a lien claimant's potential claim against the holdback. The court held that any lien claimant could seek compensation from the entire pool of the holdback retained by the owner. That interpretation does no harm when there are no subcontractors. However, when there are subcontractors—that is, suppliers of services or materials to subcontractors of the contractor—real problems are created. Under the court decision, an unpaid subcontractor doing one part of the work can claim against all of the holdback retained by the owner for the contractor, the subcontractor and all the subcontractors on all parts of the project. If this happens, the contractor, subcontractors and sub-subcontractors who have performed their obligations under their contracts, complied with the act and are innocent of any wrongdoing could be deprived of any money they have earned.

The purpose of this amendment is to restore the intended operation of the act to what almost everyone believed it to be. This amendment would limit a lien claimant's claim against a holdback to the amount held back from the person who failed to pay the lien claimant. The bill ensures that there will be a security fund available for all who have not been paid instead of just to the person who acts first.

Unless the law is amended, owners, contractors and subcontractors will seek other legitimate contractual methods to prevent being liable without fault. These measures could cause substantial delays and increased costs in construction projects, disincentives to begin new projects and firms—especially small construction firms—to leave the business. Ultimately these effects would be felt by consumers.

This amendment restores the intended operation of the holdback provisions, thus ensuring that serious problems do not develop in the construction industry as a result of the decision in *Jerry's Asphalt*. The bill makes the amendment apply retroactively to existing construction contracts to prevent multiple defaults on current projects and to ensure fair treatment of the

industry that governed its affairs according to the apparent state of the law prior to the decision in *Jerry's Asphalt*.

The bill appears to have the unanimous support of the industry.

Mr Reville: I wonder if the parliamentary assistant would give some examples of the alternative legal remedies that contractors and subcontractors might seek.

Mr Polsinelli: I would love to give some concrete examples. As the member for Riverdale knows, they are very abundant in the building industry and the construction industry.

Mr Reville: Mr Speaker, you may forgive me if I tell you I was not always as you see me now. I was at one time a contractor, and indeed a subcontractor, although not in the concrete industry, so I will not give you any concrete examples. My trade was the plumbing trade, and I found myself frequently in the position where I was making a claim on the holdback that was required under this legislation and the antecedent—it is amazing what plumbers can pick up—legislation.

I think this legislation does return us to a situation that pertained prior to the decision in *Jerry's Asphalt Paving Ltd*. I am pleased that Jerry had his day in court. I am sorry that in fact we have to wipe out that day with this legislation, but it does create a much more palatable equity if all subcontractors have a draw on the holdback. So we will be supporting this legislation and looking forward to the concrete examples perhaps to follow later.

The Deputy Speaker: Any questions and comments on the member's statement?

Mr Sterling: The member for Riverdale seems to be quite knowledgeable about this. Perhaps he could provide us with some of the concrete examples that he is asking for.

The Deputy Speaker: Any other concrete questions or comments?

Mr Reville: I am ready with the examples, Mr Speaker, if you need them.

The Deputy Speaker: Then you can present your concrete response.

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Mr Reville: Yes. Sometimes we go and take the concrete out.

The Deputy Speaker: Does any other member wish to build upon the argument?

Mr Sterling: Having had some time to practise law, and perhaps because of my background in terms of being a civil engineer, these laws have some real meaning to me. This amendment is necessary in order to protect innocent subcontractors from liability which will be incurred if people who are under the subcontractors in the pyramid that is created in a building construction project are not followed directly to the top but are jumped from the bottom to the top, as happened in the case of *Jerry's Asphalt Paving Ltd and J-AAR Excavating Ltd v Core Developments Ltd*.

The amendment of course is supported very strongly by COCA, the Council of Ontario Construction Associations, and we of course very strongly support this bill. In the *Jerry's Asphalt* case perhaps the situation arose that the particular judge saw that he could interpret the law in such a fashion as to provide some relief for a fairly small business when in fact there were other subcontractors who were more able to absorb a

cost like this. But that does not take away from the general principle of a pyramid that is necessary in the construction trade, where you start with the owner, go to the contractor, go to the subcontractors, then go to the sub-subcontractors, and it is necessary to have all the holdback provisions in descending order and the access to those holdbacks has to start from the base of the pyramid and go up.

Mr Polsinelli: The member for Riverdale and the member for Carleton will be happy to know that I have found some concrete examples. Perhaps I can give them some examples of some of the ramifications of not passing this legislation. I must say at the outset that I do appreciate their support and I do know that they understand the consequences of not passing this legislation.

One of the examples may be that owners, contractors or subcontractors may deduct a holdback greater than the statutory minimum. This would slow payment streams and construction projects which, in turn, may slow the pace of construction because of a lack of financing for contractors or subcontractors.

Another one may be that these same people may demand payment bonds from parties immediately below them. Obtaining such bonds would be expensive for contractors and subcontractors and thus would add cost to the project as a whole. Obviously those costs would be passed down to eventual purchasers. Contractors or subcontractors may increase the price quoted on projects to cover the increase in potential liability. Again, that would artificially inflate the cost for the construction and those costs would eventually be passed down to the eventual purchaser. Subcontractors and other suppliers may also try to protect themselves by automatically registering liens against all projects whether or not there is any sign of trouble. If that happened, members would know that the construction of those projects would eventually come to a complete standstill.

I am very happy that the staff has provided me with these very adequate notes that explain, at least in a constructive sense, what these concrete examples are.

Motion agreed to.

Bill ordered for third reading.

LEGAL PROFESSION STATUTE LAW AMENDMENT ACT, 1989

Mr Polsinelli, on behalf of Mr Scott, moved second reading of Bill 45, An Act to amend the Law Society Act and the Solicitors Act.

Mr Polsinelli: I am pleased today to move second reading of the Legal Profession Statute Law Amendment Act, 1989, which amends the Law Society Act and the Solicitors Act. Part I of the act amends the Law Society Act in a number of ways requested by the Law Society of Upper Canada. Pursuant to this part, lawyers in Ontario, like lawyers in Alberta and British Columbia and other professionals in Ontario such as architects and engineers, will be allowed to incorporate their practices.

It is important to note, however, that incorporation will not affect the professional responsibility of lawyers to their clients, including the financial liability of a lawyer to his or her clients. Neither will it affect the solicitor-client privilege or the right of the law society to regulate and discipline its members.

With these important safeguards in place, we believe there is no reason why lawyers in Ontario should be treated differently from other business persons in the province. By allowing lawyers to incorporate, the legislation will enable them to take advantage of the same federal and provincial tax benefits cur-

rently available to small businesses. Further, incorporation provides some benefits with respect to insurance, registered retirement savings plans and other aspects of financial planning. It also formalizes and structures decision-making within law practices and protects the continuity of the practice when the composition of the firm changes.

Part I of the proposed legislation also includes a number of small miscellaneous amendments to the Law Society Act that were requested by the law society. These amendments concern such matters as changing the voting rights of life benchers and former Attorneys General, changing the quorum for discipline matters before convocation from 15 to 10, permitting the imposition of terms and conditions on the readmission of persons who have resigned and increasing the fine and limitation period for unauthorized practice.

Part II of the Legal Profession Statute Law Amendment Act, 1989 amends the Solicitors Act in one respect. It removes an inequity with respect to the awarding of costs of corporations involved in civil litigation. Currently the act prevents corporations which are represented by salaried counsel from receiving counsel fees as part of an award of costs in most cases. This situation has been remedied, however, with respect to municipal, provincial and federal governments, which are commonly represented in litigation by salaried counsel. The proposed legislation would ensure that all corporations are put in the same position and treated like other litigants in terms of costs awards.

Mr Reville: I listened carefully to the parliamentary assistant's statement and perhaps I was not listening carefully enough, but I still cannot quite grasp the social, economic or political benefits to society as a whole of these amendments.

Mr Polsinelli: What this piece of legislation is doing is fulfilling a request from the Law Society of Upper Canada to allow firms to incorporate. The benefits to society would be the benefits of any small business progressing and flourishing. This would, as my statement indicated, provide lawyers with a certain number of advantages that are presently available to other members of the business industry. In particular, it would provide to the public the continuity that would be sometimes lacking in the continuation of a law firm when one of the partners leaves.

As the member may or may not know, partnership law in Ontario is such that when one of the partners leaves, the partnership is dissolved and a new partnership would have to be formed. If law firms are allowed to incorporate, then rather than having a partnership the legal structure would allow the practice to continue without interruption by a simple transfer of one of the shares. But I am sure that the member for Riverdale and the member for Carleton will expound on what they feel the benefits to society would be from this legislation.

Mr Reville: This party does not have any objection to part II, the changes to the Solicitors Act, but we have not been convinced by the parliamentary assistant's argument that there is a benefit to society in amending the Law Society Act. We cannot see how these amendments, given that they do not affect the duty of a solicitor to his or her client, are of any advantage except perhaps a possible tax advantage. We will oppose this legislation.

2050

Mr Sterling: I have no hesitation in supporting Bill 45, because I do not understand why lawyers should be separated from any other kind of business in terms of their ability to use

an incorporation not only for purposes of setting up the structure of their firms—and as the parliamentary assistant has so cogently pointed out, it is an important tool for the continuum of law firms when one of the principals leaves that law firm—but also because there are some taxation benefits, particularly for small law firms, which come out of the ability to incorporate.

I think the public should understand that incorporation in general means that there is a limited liability on the people who invest in the corporation. These corporations are different than the normal incorporation that you would see with regard to any other kind of business, be it a retail store, a construction trade or whatever. In those kinds of incorporations, you can only attack the corporation for the assets that are within the corporation and you cannot attack the individual shareholders.

I think the parliamentary assistant should know that I am aware of a case in which his ministry is involved, involving Dr Bruce Lister, Dr Ian Milne and Dr Denis Dudley, all from the Ottawa-Carleton area, against the Attorney General. They are a group of doctors and dentists who have asked for the same right we are giving lawyers today to incorporate under basically the same terms and conditions.

It is interesting to read the factums they have provided in those cases. They refer to the fact that Bill 45 is before the Legislature, and this factum was filed after June of last year when Bill 45, of course, was tabled in this Legislature. They refer to the argument of subsection 15(1) of the charter which says that every individual is equal before and under the law and has a right to the equal protection and equal benefit of law without discrimination.

In the response to the factum by the appellants, who are the doctors I mentioned, the Attorney General responded to them by saying that they did not refute the argument with regard to the fact that Bill 45 would change the situation with regard to dentists and doctors as well; they tried to repel that argument on the basis that this Bill 45 had not been passed by the Legislature.

I would ask the parliamentary assistant then why he is only favouring one profession in terms of giving its members the ability to deal with their practices and to deal with the tax laws in an alternative forum and why he is not giving those same rights to the doctors and dentists who are, I believe, in a very similar situation in terms of the structure of those practices. It seems to me that it only makes sense that we should treat people equally in this Legislature if in fact we are going to provide these opportunities.

I will read paragraph 30 of the factum of the Attorney General:

“The applicants allege that they are denied equal benefit of the law as compared to lawyers in Ontario. Lawyers, however, are not permitted to incorporate under the current law. The courts may not take cognizance of bills when determining equality rights under section 15, since the introduction of a bill in the Legislature is not a guarantee of its passage. In fact, of the 309 bills introduced in the first session of the 34th Legislature, from 1987 to 1989, only 111 received royal assent without amendment.”

What is happening here then today is the parliamentary assistant is giving a very strong argument to the dentists and doctors to have equal rights with the lawyers, and I only think it would be wise for him to move in that direction. If in fact he is going to benefit one profession, he should treat the other professions in an equal manner.

Mr Polsinelli: I appreciate the comments from the member for Riverdale and the member for Carleton. I am not sure if I understood correctly the member for Carleton's comments as to whether there was a concern there on the part of clients being able to—

Mr Jackson: Claudio, if you were a dentist, you wouldn't think that way. Don't you listen to your dentist? The guy who works on your teeth, Claudio. Remember the guy who works on your teeth?

Mr Polsinelli: We have a member who is trying to ask a question. I am really having difficulty understanding what the question is. Perhaps I should allow him to ask the question. I ask for your indulgence.

The Deputy Speaker: He is out of order. You may proceed with your windup statement.

Mr Polsinelli: That is fine. I just wanted to know. Since we are in this sort of very co-operative mood, I would have tried to address his particular interests if you so desired, Mr Speaker.

In reply to the member for Carleton, I am not sure whether he indicated if he had a concern with respect to the clients of legal corporations being able to pierce a corporation shield in terms of financial responsibility on the part of a legal corporation. The answer to that is an unequivocal yes. There is no protection in terms of not only the solicitor-client privilege but also the legal and financial obligation that the legal corporation would have to the client. It is as if that corporation did not exist in that respect.

In dealing with the member for Riverdale's concerns, he should be aware that in fact what this incorporation legislation does is assist the small firms. It assists what we would term the small business legal corporations. It is predominantly the sole proprietorship, the sole practitioner that we think this legislation is going to help. Effectively what they would be entitled to do would be to defer certain income in the corporation rather than taking that income right away.

We have an experience from the province of Alberta, which has allowed this type of incorporation. It should be noted that out of 4,620 active members of the Law Society of Alberta, 1,070 have obtained valid permits for professional corporations, and out of that 1,070 that have incorporated in Alberta, fewer than six of these are corporations with more than one shareholder.

I would point out to the member for Riverdale that what this bill is doing is helping the small practitioner, the sole lawyer who is out there practising, to take advantage of some of the opportunities that other small businessmen have.

The Deputy Speaker: In the absence of Mr Scott, Mr Polsinelli has moved second reading of Bill 45.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for committee of the whole.

House in committee of the whole.

LEGAL PROFESSION STATUTE LAW AMENDMENT ACT, 1989

Consideration of Bill 45, An Act to amend the Law Society Act and the Solicitors Act.

The Chair: I have 15 sections in the bill and I have three government amendments to sections 4, 12 and 13. At this moment, I would just like to list if there are any other proposed

amendments. Do any other members wish to list sections to which they want to make comments or amendments? No? These are the only three.

Sections 1 to 3, inclusive, agreed to.

2100

Section 4:

The Chair: Mr Polsinelli moves that subsections 31(1), (2) and (3) of the Law Society Act, as set out in section 4 of the bill, be struck out and the following substituted:

“(1) The membership of a person is in abeyance while the person holds office,

“(a) as a full-time judge of any federal, provincial or territorial court or as a full-time master of the Supreme Court of Ontario; or

“(b) as a full-time member of the Ontario Municipal Board or as a full-time member of a tribunal that has a judicial or quasi-judicial function and that is named in the regulations for the purpose of this section.

“(2) Upon ceasing to hold an office described in subsection (1), a person whose membership is in abeyance may apply to the secretary to have the membership restored and, subject to subsection (3), the secretary shall restore it.

“(3) Convocation may by order refuse to restore the membership of a person whose membership is in abeyance if, after due investigation by a committee of convocation, it is found that the person was removed or resigned from an office described in subsection (1) because of,

“(a) conduct that was incompatible with the execution of the office;

“(b) a failure to perform the duties of the office;

“(c) conduct that, if done by a member, would be professional misconduct or conduct unbecoming a barrister and solicitor.”

Does the parliamentary assistant have a statement?

Mr Polsinelli: I will have a statement if members want it. Otherwise, I will just let it go.

Motion agreed to.

Section 4, as amended, agreed to.

Sections 5 to 11, inclusive, agreed to.

Section 12:

The Chair: Mr Polsinelli moves that section 12 of the bill be amended by adding the following as a paragraph to section 63 of the Law Society Act:

“2a. naming for the purposes of section 31 tribunals that have a judicial or quasi-judicial function.”

Motion agreed to.

Section 12, as amended, agreed to.

Section 13:

The Chair: Mr Polsinelli moves that section 37 of the Solicitors Act, as set out in section 13 of the bill, be struck out and the following substituted:

“37. Costs awarded to a party in a proceeding shall not be disallowed or reduced on assessment merely because they relate to a solicitor or counsel who is a salaried employee of the party.”

Mr Laughren: I just wondered if the parliamentary assistant could tell us why this was not incorporated into the original bill.

Mr Polsinelli: It is obvious that this should have been incorporated in the original bill because we are moving the amendment now.

Mr R. F. Johnston: I would like to know what it means.

Mr Polsinelli: I was afraid that someone would ask that and I have a 15-page explanation.

Interjections.

The Chair: Any other questions and comments?

Motion agreed to.

Section 13, as amended, agreed to.

Sections 14 and 15 agreed to.

Bill, as amended, ordered to be reported.

Hon Mr Ward: Mr Speaker, I would like to seek unanimous consent to call the 62nd order, which is Bill 225.

The Deputy Speaker: Is there unanimous consent?

Agreed to.

Mr Sterling: Mr Speaker, on a point of order: I think it is important that the government House leader and the House understand why unanimous consent was necessary in order to put this bill on the docket.

We changed our standing orders, as members know, last October, and part of the standing orders, section 66, says that no minister of the crown can introduce a bill within the last eight sessional days, which is the last two weeks of a legislative session, and then expect that the bill will be called for second reading.

I raised that point at that time. It concerns me that as a result of my raising that concern, a certain rumour seemed to emanate out into the Ontario public that I was stopping this piece of legislation. There was a very important principle involved in formulating that rule, and that principle was that if the government introduced a bill within the last two weeks, there was not sufficient time for the public to react to that piece of legislation.

I am agreeing and the other members of the caucus are agreeing to it because of the apparent urgent nature of this and because, quite frankly, there are a lot of false stories out there in the Ontario public which have been generated, I am not certain by which side of the House but I can only imagine. I do not know where the Attorney General is tonight, but perhaps he is on his telephone calling people about this particular piece of legislation.

There is a concern with regard to this bill, because I received a letter this morning from a concerned member of the public of Ontario, and there appear to be problems with this piece of legislation. I will listen very carefully to what the Attorney General wants to do with those particular concerns. I am very much interested to see if he has had any response to this legislation, which has been on the table for only a week and a half at this time.

Mr R. F. Johnston: I just want to add a few comments to this, Mr Speaker. I would like you to know that in my own office I have had over 100 calls in the last few days about this bill wondering why it is that the opposition is trying to stop this bill from proceeding. I do not know where this idea is being

developed and why the understanding of exceptional agreement by members on this side to allow the Fluffy bill to go through is not being recognized, but I want you to know that those kinds of calls are presently being generated.

Mr Reville: I would like to add some comments. I want very much to associate my remarks with those of the member for Carleton. The matter of the Fluffy bill was indeed brought up at the House leaders' meeting last week. There is indeed a rule of the standing orders which is intended to protect the opposition from the government's producing all sorts of legislation in the last two weeks, when in fact it has the ability to require extended sitting hours. We feel somewhat cross that how this all shakes down depends somewhat on whose rumour mills can grind the fattest and the quickest about who is actually trying to stop legislation that I think we all in this House tend to want to support.

I think we have been moved by hearing the stories of people who are losing their homes because of no-pet clauses, and we would have been quite happy to deal with such matters. In fact, several members of this House brought forward private legislation to do just that.

2110

For instance, here is an Act to amend the Landlord and Tenant Act standing in the name of the member for Etobicoke-Rexdale which was tabled on 25 July 1989. It was not called for reasons unknown to me. I suspect it was not called because the public pressure had not built to the extent where the government thought it was necessary to call it. In fact, we are going to actually give unanimous consent. We are going to give unanimous consent, I say to my colleague and to the member for Carleton and to the member for Wentworth North, but we do so with extreme caution because we do not want the government to feel it can decide in the last eight days of the session to garner political points by introducing bills on first reading and then putting a gun to the head of the opposition parties to waive the rules.

An hon member: Let's get on with it.

Mr Reville: I seem to have caused some hysteria over there in the rump, but I will conclude my remarks and let us get on with this important legislation.

Hon Mr Ward: On the point of order, I have listened very carefully to what representatives of both opposition parties have said and I must say that I have heard the rumours over the course of the past two or three days. They distressed me greatly. I am shocked, because I can assure the members that in all of our conversations with the House leaders there was widespread support for this legislation and the plight of tenants with pets. I just want the members from Riverdale and Carleton to know that I am shocked that somehow those rumours managed to get out there. It certainly does not reflect well on the rumour mill that obviously operates in the halls of this Legislature.

The Deputy Speaker: I have listened carefully.

Mr Reville: How do you feel?

The Deputy Speaker: I feel great. I just wanted to remind members that before the point of order was brought up, I had asked the House if there was unanimous consent and I did not hear anything against it.

Interjections.

The Deputy Speaker: That is why it is always important when the Speaker asks members to respect the standing orders, so that when the Speaker addresses the House and asks a question such as, "Is there unanimous consent to bring this forward?"—I had heard "Agreed." I had not heard a dissenting voice, so therefore, having—

Mr R. F. Johnston: I saw a point of order at that point. That is what confused me.

The Deputy Speaker: No, there was not a point of order at that point. There was a point of order brought afterwards. I have noted your remarks and we shall proceed. Will the parliamentary assistant move second reading.

LANDLORD AND TENANT AMENDMENT (ANIMALS) ACT, 1990

Mr Polsinelli, on behalf of Mr Scott, moved second reading of Bill 225, An Act to amend the Landlord and Tenant Act with respect to Animals.

Mr Polsinelli: Again, Mr Speaker, I am going to have an opening statement. First of all, I would like to thank the members from both opposition parties for granting unanimous consent to let this bill go forward. This bill was introduced for first reading on 18 June of this year, just a mere seven or eight days ago. Under the standing orders, unanimous consent would be required by all parties to proceed with second and third reading prior to the closing of this session.

I must also say that I have not heard it said by any member of any party in this House that he or she has any particular objections to this type of legislation proceeding. There is a tremendous concern by all members in this House with respect to the issue of pets in apartment buildings and we all want to try to resolve that particular problem.

With respect to the particular legislation that we have at hand, the amendments in this bill will ensure a careful balancing of the rights of landlords and tenants. Landlords will be able to go to court to evict tenants with troublesome pets. Landlords will also be able to go to court to evict tenants with pets which are of an inherently dangerous species or breed. But tenants will have the opportunity to demonstrate to the court that their pets are well behaved and do not cause harm. If they prove this, they cannot be evicted unless the pet is of an inherently dangerous species or breed.

As you can see, Mr Speaker, court proceeding will still be necessary to determine whether the tenant or the pet should be evicted, but the fact that the tenant in question or other tenants in the building signed no-pet agreements will not be sufficient to evict him or her. In fact, the amendments provide that the court cannot consider the fact there is a no-pets agreement when determining whether grounds for eviction exist.

I say that the amendments balance the rights of landlords and tenants because they recognize that in a building where animals have caused problems, it may be difficult for the landlord to identify specifically which pet or pets are responsible. The amendments require the landlord to prove only that animals of the same kind as the tenant's have caused problems.

But the case does not end there. The ball is then in the tenant's court. If the landlord proves that the pet's behaviour caused substantial interference or there was a serious allergic reaction, then the tenant will be able to avoid eviction by showing that the tenant's own pet has not contributed to or caused the problem.

Applications for injunctions ordering tenants to get rid of pets based on no-pet leases will also be governed by these same criteria.

All of these amendments will apply to any court hearing that is completed after the act receives royal assent. If an eviction order is made before the act receives royal assent, the tenant will still obtain the benefit of the amendment if an appeal is taken and the appeal is heard after the act receives royal assent. But if a tenant does not contest the eviction notice or does not appeal from an eviction order, then the amendment will not protect him. This is because there must be a hearing to determine whether the grounds for eviction or for an injunction exist.

I believe that these amendments strike a fair balance that will permit action to be taken against irresponsible pet owners but will protect tenants whose pets are well behaved, do not cause harm and are not dangerous.

Mr Philip: This bill has nothing to do with protecting tenants. This has something to do with protecting Liberals from an election; that is all that it has to do with. The Attorney General, when confronted by tenants' associations, the Federation of Metro Tenants' Associations, the Toronto Humane Society, humane societies across the province, did not answer the mail. For two years he did not answer his mail. In this House, the Attorney General said, "Well, people can choose between their leases and their pets." Of course, we have had massive evictions across this province. Indeed, there have been tens of thousands of animals euthanized as a result of this government's failing to act on this.

Now it introduces this flim-flam legislation that is supposed to be something to everybody. There are a number of principles that are found in this that are actually quite disturbing. For one thing, there is guilt by association in this bill. I have never seen this government, any government, introduce legislation that says you are guilty because you happen to be part of the same class that may have committed an offence. This bill says then that if there happens to be an animal of the same species that has caused substantial interference, then you have to prove that your animal has not or will not do the same thing. What is a species? Does that mean that if somebody had a Dobermann and the Dobermann managed to nip the rear end of the landlord, and you have a Chihuahua, that somehow because a Chihuahua is a dog and the Dobermann is a dog, then you have an animal of the same species and therefore you have to prove that your little Chihuahua cannot jump high enough to nip the bum of the landlord in the same way that some fellow with a Dobermann managed to accomplish that? That is how foolish this bill is. That is how ridiculous this bill is.

2120

It says "the presence of an animal of that species has caused the landlord or another tenant to suffer from a serious allergic reaction." What does that mean? Does it mean that five years ago, if some child had an allergy towards cat hair, if I am going to have a cat in that same building, I have to prove that the child, five years older, who may have grown out of that allergy and may not even be living in that building, would no longer suffer from my cat and may be a completely different cat living on the same floor? That is how silly this legislation is. It puts the whole onus on the innocent person to prove that he is innocent rather than to charge the guilty person with some kind of offence, as has been the case prior to the Ryll or Fluffy the cat case.

This bill also does not deal with the basic problem that tenants have been talking to the Attorney General about; namely, that as a result of the Fluffy the cat or the Ryll case, tenants are being evicted for violations of really unreasonable clauses being put in leases. That is why the Federation of Metro Tenants' Associations asked for legislation that would deal with the essential problem that we are faced with; namely, that if a landlord is going to put a clause in a lease that says you may or may not do something, the landlord, if he is going to use that clause to evict the tenant, must show that the tenant's action in breaking the rule that he has put into the lease in some way violates the peaceful enjoyment of the property by other tenants or by himself or in some way damages the property.

What we have is the absurd situation now that this bill protects you in some way, gives you some protection if you happen to have a goldfish, but it does not protect you if the landlord likes to put in a clause—somebody actually did this and, as I understand, tried to evict a tenant—that you cannot have a microwave oven. It tries to give you protection against being evicted for having a goldfish but no protection if you happen to bring a baby carriage on to an elevator contrary to some rule which a landlord has put into his rules.

Interjection.

The Deputy Speaker: Order, please.

Mr Philip: The member for Scarborough-Ellesmere does not care about the tenant in Scarborough that the Federation of Metro Tenants' Associations talked about, who was being evicted because she happened to have the—

Interjection.

The Deputy Speaker: Order, please, the member for Scarborough-Ellesmere.

Mr Laughren: Dave Warner's nickname is Fluffy.

The Deputy Speaker: The member for Nickel Belt. Could we have a reign of peace and quiet, please? Standing orders.

Mr Philip: As Dave Warner pointed out to me and as the Federation of Metro Tenants' Associations pointed out to me, that tenant in Scarborough-Ellesmere for whom the landlord decided to put a clause in the lease saying, "You may not carry a baby carriage. You may not take a baby carriage on to"—

Interjection.

Mr Philip: If the member would read the bill, if he would read the issue. If he had listened to the tenants, he would know what the issue is.

Interjection.

The Deputy Speaker: Order, please, the member for Scarborough-Ellesmere.

Mr Philip: How can anybody represent tenants in this House and be so stupid on an issue like this as the sitting member for Scarborough-Ellesmere is?

The Deputy Speaker: Order, please. Would the member for Scarborough-Ellesmere please contain himself?

Mr Laughren: Throw the bum out.

Mr Faubert: On a point of order, Mr Speaker: Would the member for Etobicoke-Rexdale confine himself to the bill.

The Deputy Speaker: That is not a point of order. Would the member for Nickel Belt also make sure that his language is parliamentary.

Mr Faubert: No, but it's a good point of interest.

The Deputy Speaker: Order, please. If members want to make comments, they can avail themselves of the two-minute comment period.

Mr Philip: I know the member for Scarborough-Ellesmere should understand this bill because I understand that he did an IQ test and scored almost as high as the member for Dovercourt. Therefore he should be able to understand that the issue is not just pets.

The issue in this bill, as the Federation of Metro Tenants' Associations has pointed out to the Attorney General time and time again, is whether or not these corporate landlords can put unreasonable clauses in their leases and then because of the mere violation of that clause—even though in violating that clause or house rule or whatever they want to call it in no way damages the property or interrupts the peaceful enjoyment of the property by other tenants—tenants can be evicted. That is the major issue we are facing.

The Attorney General, in concentrating exclusively on the pet issue, has missed the major issue that the Federation of Metro Tenants' Associations has pointed out to him. I introduced originally a bill that dealt with the pet issue, as a result of the Ryll case. At that time, I met with the Metro tenants' federation, with the various tenant legal services and with the humane societies, and they convinced me that primarily as a result, interestingly enough, of examples from Scarborough—not from my own riding but of the corporate landlords in Scarborough who are using other clauses—it became a broader issue than merely pets.

Mr Faubert: You haven't won one yet.

Mr Philip: I am surprised that the member for Scarborough-Ellesmere has not listened to his own tenants and to the federation, which has been speaking on behalf of those people. I know he probably listens to the landlords. Those are the people who pay his campaign funds, just as the Premier listens primarily to the insurance companies. But let me read you a legal opinion, Mr Speaker—

Mr Faubert: On a point of order, Mr Speaker: The member for Etobicoke-Rexdale is imputing motive. He has done it at least twice, now and in his last statement. I wish you would ask him to withdraw it. He is imputing motive. I have received no contributions from any landlord in my riding.

Mr Laughren: Oh, sit down and be quiet.

Mr Faubert: It is absolutely true.

Interjections.

The Speaker: All right. Order. On the request from the member for Scarborough-Ellesmere, will the member withdraw that motive?

Mr Philip: If the member for Scarborough-Ellesmere will keep quiet—

The Speaker: Order. Will you withdraw?

Mr Philip: I did not say anything that was inappropriate. If you will point out to me what I said, I will withdraw it.

The Speaker: Well, really. There is a standing order that says a member cannot impute motives.

Mr Philip: I have no intention of withdrawing the remark unless you tell me which remark to withdraw.

The Speaker: Would the member—

Mr Faubert: Yes, exactly. The member for Etobicoke-Rexdale imputed motive, saying that I had received contributions from landlords in my riding. That is absolutely not true and that is imputing a motive.

Interjections.

The Speaker: Order. Will the member withdraw?

Mr Philip: Did you hear me say that, Mr Speaker?

The Speaker: I am not here to answer questions.

Interjections.

The Speaker: Order. With respect, will you withdraw?

Mr Philip: I will withdraw the remark, Mr Speaker, but in future I would like a ruling based on what you hear and not what somebody else says he heard.

The Speaker: Order.

Mr Faubert: There will be a celebration in Scarborough-Ellesmere—

Interjections.

The Speaker: Order, the member for Scarborough-Ellesmere; that is enough. Continue the debate.

Mr Philip: What I was trying to point out was that the Liberals have ignored the tenants for more than two years. This bill ignores the principal request that the tenants' groups have asked for.

I have here a legal opinion from Neighbourhood Legal Services, which was sent to the Attorney General on 26 June and deals with this bill:

"The Tenant Advocacy Group"—which is the advocacy group of various legal clinics, plus they are associated in this matter, I understand, with the humane societies and various other groups—"would like to express its support for your actions that you are taking to protect owners of well-behaved companion animals from evictions. However, we have some concerns about whether the proposed amendment will be entirely successful in achieving this result.

"Specifically, we find the newly created subsections 109(5a) and 109(5b) to be quite problematic for a number of reasons. These sections introduce into the Landlord and Tenant Act a new concept of guilt by association. Tenants can have their security of tenure threatened because of the past actions of similarly situated tenants; that is, other tenants with similar pets. Elsewhere in the act, a landlord must prove that the particular tenant has been responsible for a particular act in order to obtain an eviction.

2130

"TAG can see no reason why landlords should not still have the onus of demonstrating that a particular tenant or his or her pet is responsible for the imputed action. The fact that a tenant can then save his or her tenancy by proving his or her innocence does not allay our concerns with this concept of guilt by association.

"In many situations, it will be relatively easy for a landlord to demonstrate that in the past an animal caused some problems, and relatively difficult for an individual tenant to prove that the problem was not caused by his or her animal.

"Moreover the wording of subsections 5a and 5b are unhelpfully ambiguous. TAG questions whether the amendment makes it clear that the mere presence of a pet can no longer constitute substantial interference. Can a property manager's testimony

regarding the existence of dogs in a building, resulting in higher maintenance costs, still constitute interference with the reasonable enjoyment of the premises by the landlord? Exactly what does 'behaviour of an animal' mean? Is it not possible that the district court could interpret this to mean the mere presence of such a species? If so, how does a tenant then use subsection 5b to save him or herself?

"If the amendment is intended to focus on specific actions of a pet, why not limit the interference of actions which affect the tenants and resident landlord? What is the definition of 'species' or of 'breed' that will be used? Does the dangerous nature of a pit bull terrier dog mean that all dogs are to be outlawed because they are of the same species? Are all dogs not the same species?"

"In sum, TAG is concerned about subsections 109(5a) and 109(5b). It could be just as open to judicial misinterpretation as what presently exists. Our group is pleased with the concept of eliminating evictions based on no-pet clauses and leases and with the idea of extending these protections to other legal proceedings, but we would ask that the government consider reviewing the draft legislation to ensure that it truly does accomplish the stated objective of protecting owners of well-behaved dogs from eviction."

What we have is a government that has ignored the tenants, ignored the seniors' groups and ignored the disabled that have asked for major changes to this act for two years. Then, on the eve of an election, they bring in a bill which has major flaws in it, which does not do what the tenants' associations have asked for and which does not do what the humane societies have asked for. They bring it in at the last minute, they ask for unanimous consent to get it through because it is an emergency somehow, and the only emergency is the election.

If they had brought in this bill a year and a half ago or two years ago when I first raised this issue in the Legislature, we could have had a bill that would have gone to committee. The tenants' associations, the landlords and the legal clinics could have passed some comments on it and this bill could have been amended or any other bill could have been amended.

No, instead we have the frivolous comments and snicker-sneer of the Attorney General, who thought that it was funny then, Fluffy the cat, as he would love to laugh and smile. It is not funny, I tell the members, to the seniors of my riding who have to choose between their housing and euthanasia or killing their pets in order to save the roof over their home. They did not find the Attorney General's snickers and sneers and laughs very funny, and I do not think that they will find very funny the fact that they are still going to have to go to court under this bill.

We will vote for it simply because it is better than nothing, but I say to members that this bill has nothing to do with tenant protection, has nothing to do with any sensitivity to animals or to the humane society and has nothing to do with what any of the groups that made representation to the Attorney General have asked for. It has everything to do with saving the neck of the Attorney General and the other Liberal backbenchers, particularly those who represent a large number of tenants, because they have been called and have been told by those tenants, "We are not going to vote for you unless you do something," so they have introduced this bill to pretend to do something for them.

We are going to find that just as with other legislation which the Attorney General has introduced, there are going to be major court battles. We are going to find that in a year or two the Attorney General will be coming back here saying, "I am going to change the legislation," or, "I am going to appeal it,"

in the same way we said he would have to do with the Sunday shopping legislation.

What we have is a charade. It is a charade that is playing on the sentiments of people. It is a charade that is playing on the fact that people are upset about the fact that they are having to have their animals killed, their pets that they have held for so many years. This is giving false hope to a lot of those people. I say to members that this shows not only the lack of any kind of conscience on the part of this Liberal government, but it also shows that they are completely corrupt morally when it comes to doing anything other than trying to get themselves re-elected.

Ms Bryden: I am glad that we are dealing tonight, by unanimous consent, with Bill 225 amending the Landlord and Tenant Act relating to the eviction of responsible pet owners. The Attorney General brought in this amendment to the Landlord and Tenant Act because apparently he thought it could wait until the fall. He introduced it on 14 June after it was too late for consideration this spring, and unanimous consent was needed to bring it forward.

The Attorney General brings in legislation at the 11th hour. It might not have been passed by the Legislature before the appeals of three senior apartment dwellers against eviction notices based on pet ownership were heard in July. If the appeals failed because the amendments were not in place, the pet owners would have to get rid of their pets or move. Therefore, that is why I am glad we are going to see that this legislation will be in place before July.

The Attorney General is insensitive to the needs of seniors, disabled persons and other apartment dwellers for the companionship of pets. Studies indicate that pet ownership greatly contributes to the health and wellbeing of their lives. He is also insensitive to the fears of responsible pet owners that they will be forced to get rid of their pets or move if the amendments are not passed. He and his party only consented to bring this legislation forward tonight after all the MPPs were deluged with phone calls from worried seniors, disabled persons and other apartment dwellers who need the companionship of pets.

I am glad we are going ahead with this legislation. I would have liked to have seen time for the Attorney General to bring in an amendment to remove the serious flaw in his amendments that puts the onus on pet owners to prove that their pets are not a nuisance or a cause of problems to other tenants. The onus should be put on the landlords, and that is the weakness in this bill. But at least, if this bill goes through tonight and gets royal assent this week, it will be in place for those who face eviction notices this summer and until the Legislature can meet again. So I strongly support this bill.

2140

Mr Jackson: Just very briefly I would like to comment on Bill 225. As previous speakers have indicated, this is an unusual bill because of the manner in which it has been dealt with by the government. It has been dealt with in an unusual fashion, in so far as the proposer of the bill, the Attorney General, has not seen fit to follow the good advice and counsel of individual members of this House in all three political parties in terms of responding to this. He only did it after serious efforts were made to bring to his attention how this really affects people who reside in apartments, who certainly do not live in the same sort of lifestyle that, say, he or many other members of this House might.

I guess I am somewhat distressed that we as politicians are making such a fuss over this bill at this late date. The government has indicated it is a critical priority for the government of

David Peterson, yet when we look at the agenda, the unfinished business of this government, the Orders and Notices are filled with four or five pages of substantive bills, important bills, bills that affect people's livelihood in this province, yet there is no value or priority put on those. There are some bills in here that groups have been waiting five years for, listening to five years of promises from this government that in fact it was listening, that it would respond and that it would put in place the reforms that affect their lives.

There is a whole series of bills in here—Mr Speaker, you would be aware of them—that deal with the health professions review legislation, from Bill 178 all the way up to Bill 212. All of these bills affect people's livelihood in the health professions. They affect their patients and the clients whom they serve, yet we are spending more time debating this, albeit an important amendment. We have had a year and a half to deal with it.

An hon member: Two years.

Mr Jackson: Two years; I am corrected and I appreciate that.

There are other bills in here. There is one to deal with class action suits, a very fine piece of legislation. We know we are 20 years behind most jurisdictions in North America. Is that a priority for this government or for this Parliament? No.

As for my own victims' rights bill, we know of the fact that Ontario is the last province in Canada to enact victims' rights legislation, yet here we are on the basis of our pets. We are affording them the protections. I know it is not just for the pets; it is for the companionship and what they represent to the tenants whose care they share.

I guess there are moments in this House when we really have to ask ourselves to what extent we as individual politicians set the proper priorities, although the government is bending the rules in an unprecedented fashion since it created the very rule it is about to break. I look at all these pieces of legislation that good-meaning Ontario citizens have waited many years to have implemented. Many do not know that their bills will be put off because of election planning or because we are not going to be sitting again until after a provincial election. We may not come back in this House until late October or November.

Like, I guess, all members, we will support this bill. We have made our point. We are very distressed that low-brow rumour tactics have been used. We do not know who started them, but we do have evidence that they have occurred in terms of creating a pressure environment. Over what? Over a bill that deals with pets in apartments, when we have had two years to debate it. The fact is that we should take notice of this bill for what it represents and what it shows we are not doing in this House.

Having said that, I certainly will be supporting the bill. I wish to commend all the members of the House who have been raising these concerns for their efforts, and not the Attorney General for the late date and manner in which he is proceeding with this bill.

The Speaker: Are there any comments or questions? Any further debate?

Mr Sterling: I just want to point out that—

Mr Kerrio: We really need this, Norman.

Mr Sterling: Did the member for Niagara Falls want to enter this debate?

The Speaker: Order. I asked a short time ago whether any other members wished to participate and then finally the member said that he wished to participate. It is not question period, so would you just continue?

Mr Sterling: If I had a question, I would not direct it to that member.

At any rate, we are in agreement with this legislation, as I mentioned earlier this evening when I raised a point of order. I am always concerned when we start dealing with the rights of various groups. We are dealing with tenants versus landlords, landlords versus tenants, over a very short period of time. We have only had this legislation in front of us for a week and a half. Last year we considered Bills 2 and 3, which were a major restructuring of our court system. The Attorney General insisted on passing Bills 2 and 3 over a very short period of time for the complexity of those pieces of legislation. As a result, the Attorney General had to bring in two amending bills before the year ended. He also had to bring in over 60 amendments to the original legislation.

I have asked the parliamentary assistant to explain to me why there is a difference between the situation where a tenant is renting from a landlord who owns all of the units and a tenant who is renting from a condominium owner of one unit. As I read this bill, there is a certain amount of uncertainty as to what the rights of the tenant are with regard to the one unit in a condominium.

Under section 49 of the Condominium Act the condominium corporation can go in front of the court and terminate the lease of a tenant who does not comply with the declaration of the condominium. Many of the declarations of the condominiums in this province forbid pets to be in those buildings.

So we have on the one hand a law which says that you can evict a tenant on the basis of it being contrary to the declaration of a condominium, and now we are creating another law which purports to give the tenant the right to have a pet under certain circumstances.

The nature in which this legislation has been brought forward, the undue haste from first reading to second reading and expecting to get third reading tomorrow, is unwarranted.

I understand what the Attorney General is trying to do in relation to bringing this on at this time, because there is rumour of an election. He wants to say he is a friend of all of these fuzzy little animals that are around this province, and the owners of those animals, but this kind of issue is very important to many people across Ontario. I would have only wished that the Attorney General would have had more sensitivity, not only to raise this particular issue at this time, very late in this legislative session, but also to actively encourage stories about the opposition stalling this legislation when in fact it was not the opposition who stalled it but the rules of our House which said that this legislation cannot go ahead.

Mr Jackson: The Attorney General stalled for two years.

Mr Sterling: As my colleague points out, this is not a new idea that just surfaced in the last two or three weeks. This is an idea that has been there for not a year but two years, that has been before the members of this Legislature over that period of time, as one of the members did speak.

I think we have a law—which we are going to pass because of the large majority of Liberals in this House, 94 of 130 seats—which is imperfect. It has not dealt with all the real problems. Probably this kind of bill should be dealt with in front of a legislative committee. There should be amendments to deal with this, perhaps amendments to the Condominium

Act, if so desired. But the government cannot deal with this issue in just talking about the Landlord and Tenant Act. It affects other kinds of property holdings, as I have mentioned, which were drawn to my attention only today. I do not know, quite frankly, if next week I will get a letter from another constituent of Ontario who will have another concern over this piece of legislation.

2150

Mr Polsinelli: I should point out at the outset that people have been talking about the sensitivity of the Attorney General on this issue. It is important to note that the Attorney General has been very sensitive and very concerned when it comes to this issue. For anyone who understands the law, anyone who understands how the processes work, they would know that the Attorney General has been most responsive and most sensitive to this issue.

They referred to the Fluffy case last year. Anyone who has any training in the law would know that the Fluffy case was an aberration, that in fact it did not represent the facts of the previous case law. It had never, ever, prior to the Fluffy case, been established that merely a breach of the no-pet provisions in the lease was substantial evidence to evict the tenants. We had to wait until further evidence was established that in fact future decisions by the judges would establish that case law.

That evidence came on 31 May of this year when a judge evicted three ladies, who had well-behaved pets, for no reason whatsoever other than they breached the no-pet provisions in their leases. That was clear evidence that judicial thinking was changing and quick action was needed. That was 31 May 1990, a few weeks ago.

The members of the House will know that the Attorney General has had a number of issues in the past few weeks. He has dealt with the Meech Lake situation. He spent a week in Ottawa trying to overcome the very difficult issues that we have been handling in this country. But one of the top priorities in his ministry, one of the most important things that we had to do, was deal with the issue of pets in apartments and the comfort and the association that pets provide to seniors.

It seems to me that when we are dealing with issues such as the law society amendment act or when we are dealing with the Construction Lien Amendment Act, we are dealing with complex pieces of legislation that go through this House like a snap of the fingers. The opposition parties have few, if any, comments and in a question of seconds bills get through.

Mr Sterling: I talked longer than you.

Mr Polsinelli: The notable exception is perhaps the member for Carleton, who usually has some fairly constructive comments.

But when we are dealing with an issue such as pets in apartments, that is something everybody can grasp, everybody can understand, and it seems that in the past 45 minutes that is what has been preoccupying the business of this House.

The member for Etobicoke-Rexdale talked about the behaviour of tenants. Behaviour of tenants is not the issue; it is the behaviour of pets. What this legislation does is, it allows the eviction of tenants who have pets who do not behave. Any tenant who has a well-behaved pet will be able to keep him. This will protect them.

The member for Etobicoke-Rexdale talked about guilty by association, guilty if it happens to be a member of the same species. I can tell the member for Etobicoke-Rexdale, who may or may not have pets, that there are many pets that are the same

species that look identical. I happen to have a cute little white American Eskimo dog, and I cannot tell him apart from any other one of the same species.

What this legislation does is provide a clear balance between the rights of the tenants to keep well-behaved pets and the rights of the tenants who do not have pets and those pets substantially interfere with their enjoyment of the property. It provides that kind of a balance.

It seems that whenever you are dealing with a particular issue, everything else becomes of primary importance. This act happens to deal with one specific issue. It is the issue of tenants having well-behaved pets and the protection this legislation affords those tenants. It seems that everybody else now wants to deal with the Landlord and Tenant Act and the unreasonable clauses in leases and a whole host of other issues. Those are important issues; there is no question about that. That is not what this legislation is dealing with. This legislation is dealing with well-behaved pets and is providing protection to tenants who have well-behaved pets.

Interjections.

Mr R. F. Johnston: Well-behaved pets, although indistinguishable from other pets.

Mr Polsinelli: Sometimes I wonder whether this legislation should apply to members of the opposition.

Mr Sterling: On a point of order, Mr Speaker: I did not hear the parliamentary assistant answer questions regarding the Condominium Act and I did not know whether he wanted to make a comment now or in committee of the whole House on that.

The Speaker: Do you have any final comment?

Mr Polsinelli: If it will avoid—

Mr Philip: On a point of order, Mr Speaker.

The Speaker: On the same point of order?

Mr Philip: Yes. The parliamentary assistant to the minister did not answer any of the questions raised by Neighbourhood Legal Services, who are a number of lawyers who I think have a better success record than he has or indeed than the Attorney General seems to have lately. I am wondering whether he is going to answer them.

The Speaker: Thank you. We must not get carried away with extra debate. If the parliamentary assistant wishes to respond briefly, that is all right, but then I will put the question.

Mr Polsinelli: It was an oversight on my part in dealing with the points raised by the member for Carleton. The point the member raises is a very important one that I must say I sympathize with. The issue of the protection afforded to tenants of condominium units is, quite frankly, the same as any other tenant. The only problem is that if there is a condominium declaration that has no-pet provisions, this legislation does not amend the Condominium Act, it is only amending the Landlord and Tenant Act.

I would advise the member for Carleton, however, that the Minister of Consumer and Commercial Relations is presently reviewing the Condominium Act. I assure him that I will be making representations to the minister with respect to the no-pets provisions in the Condominium Act and I would ask him to do the same thing, because, as I say, I sympathize with his remarks and I must concur with his point of view in dealing with those protections.

Motion agreed to.

The Speaker: Shall the bill be ordered for third reading? Agreed?

Mr Philip: Committee of the whole, isn't it?

Mr Kerrio: No, third reading.

Bill ordered for third reading.

Mr Philip: On a point of order, Mr Speaker: I thought that the questions that I raised, which were raised by lawyers on behalf of the tenants, would be answered. If we are going to waive committee of the whole, then we have at least to have the respect of the parliamentary—

The Speaker: Order.

Interjections.

The Speaker: Order. I put the question, "Shall the bill be ordered for third reading?" No one stood up. It will go to third reading.

VITAL STATISTICS AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 150, An Act to amend the Vital Statistics Act.

Mr Haggerty: I did not think I was going to get the floor tonight, but it perhaps may be my last time to address the assembly, so I move second reading of Bill 150, An Act to amend the Vital Statistics Act.

Interjection.

Mr Philip: No, I like to have a few answers.

Mr Kerrio: Take your little bat and go home.

The Speaker: We will just wait a minute so nothing blows up here.

Mr Haggerty has moved—oh, it was already moved by the minister. I am sorry. Okay, any debate?

Ms Bryden: This bill was presented to us by the Minister of Consumer and Commercial Relations as mainly a housekeeping and streamlining bill. However, he actually has a unique reason for introducing and giving top priority to this bill at this busy time in the Legislature. The reason is that the recent decision to move the whole operation of the registrar general from Toronto to Thunder Bay will mean that we will be without a suitable record system for people who cannot afford the plane fare to Thunder Bay unless we actually pass this bill as soon as possible. So it does have a compelling reason.

But at the same time it is bringing us some good things. By the amendment we will switch the operation from a paper-based record system to an automated, electronic database. This sounds—

The Speaker: I am sorry to interrupt the member. Previously there was a motion and the House agreed to sit until 10 pm. I am just wondering, what is the wish of the House?

Ms Bryden: It would only be one or two minutes.

Hon Mr Ward: I seek unanimous consent to complete the discussion on this order.

The Speaker: I appreciate that. However, I wonder, could we put a set time?

Hon Mr Ward: I seek unanimous consent to sit until 10:30.

Interjections.

Mr Sterling: Perhaps I could help. I would seek unanimous consent to finish considering second reading of this bill or 10:30 of the clock, whichever comes first.

The Speaker: That is a very good, similar suggestion, so it is agreed that we will continue with discussion on this up until 10:30.

Ms Bryden: This bill, as I say, brings us the extra bonus of a system which will help people interested in tracing genealogies and family trees. I am glad to know that there will still be a walk-in vital statistics centre in Toronto for the millions of people in southern Ontario who will find it difficult to communicate only through Thunder Bay, but I welcome the move of the registrar general to Thunder Bay as part of the diversification and geographic decentralization in this province.

The inclusion in the legislation of authority for the registrar general to transfer historic documents to the provincial archives and to provide services there for historians and genealogists is also a very valuable addition to the legislation.

So our party will be supporting this bill and hopes that it will be passed and get royal assent before the registrar general departs from here.

Mr Sterling: I would like to indicate the support of our party for this piece of legislation.

Mr Haggerty: This is perhaps one of the shortest debates we have seen on a particular bill, and I want to thank the member for Beaches-Woodbine and the member for Carleton for such short comments.

Again, the government is moving in the right direction, and we do see some genealogical benefits that will be derived from the new technology that will be put in place, both at Thunder Bay and here in Toronto. It will benefit those who want to trace their family roots, so I want to thank the members for their comments and appreciate their support for the bill.

Motion agreed to.

Bill ordered for third reading.

The House adjourned at 2204.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Vice-chair: Carman McClelland

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Clerk: Douglas Arnott

Estimates

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Clerk: Harold Brown

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Members: Maurice L. Bossy, Marion Bryden, Douglas A. Carrothers, David R. Cooke, W. Donald Cousens, D. James Henderson, Keith MacDonald, Ed Philip and Jim Pollock

Clerk: Franco Carrozza

Public accounts

Chair: Ed Philip

Vice-chair: Gilles Pouliot

Members: Peter Adams, William G. Ballinger, Joseph Cordiano, W. Donald Cousens, Alvin Curling, Michael D.

Harris, Laureano Leone, Shelley Martel and Dianne Poole
Clerk: Tannis Manikel**Regulations and private bills**

Chair: Robert V. Callahan

Vice-chair: Lily Oddie Munro

Members: Maurice L. Bossy, Cameron Jackson, Ron Kanter, Keith MacDonald, Bob Mackenzie, Shelley Martel, Jim Pollock, Tony Ruprecht and Charlie Tatham

Clerk: Lisa Freedman

Resources development

Chair: Floyd Laughren

Vice-chair: Bob Mackenzie

Members: Michael M. Dietsch, David Fleet, Michael D. Harris, Ron Lipsett, Margaret Marland, Gordon I. Miller, Jack Riddell and Bud Wildman

Clerk: Lynn Mellor

Social development

Chair: Yvonne O'Neill

Vice-chair: David E. Neumann

Members: Richard Allen, Dianne E. Cunningham, R. Walter Elliot, Joan M. Fawcett, Bernard C. Grandmaître, Cameron Jackson, Richard F. Johnston, Kenneth A. Keyes and Norah Stoner

Clerk: Todd Decker

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Clerk: Deborah Deller

Education

Chair: Sterling Campbell

Vice-chair: Frank Miclash

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Parliamentary precinct

Co-chairs: Hon Hugh A. Edighoffer and Herbert A. Epp

Members: Gilles Pouliot, E. Joan Smith and Noble Villeneuve
Clerk: Smirle Forsyth

CONTENTS

Wednesday 27 June 1990

Members' statements

Automobile insurance	1965
Miss Martel	
Eastern Ontario	1965
Mr Villeneuve	
Fanshawe Lake	1965
Mr Reycraft	
Education	1965
Mr R. F. Johnston	
Health cards	1966
Mr Sterling	
Foster parents	1966
Mr D. R. Cooke	
Religious education	1966
Mr Allen	
Democracy in Ukraine	1966
Mr Jackson	
Bell centennial	1966
Mr Neumann	

Statements by the ministry

Decentralization of government operations	1967
Mr Ward	
International trade	1967
Mr Kwinter	
Child and family services	1968
Mr Beer	
Agricorp	1969
Mr Ramsay	
Charitable gaming	1969
Mr Sorbara	

Responses

Decentralization of government services	1970
Mr B. Rae	
Mr D. S. Cooke	
Child and family services	1970
Mr Allen	
Agricorp	1970
Mr Wildman	
Child and family services	1971
Mr R. F. Johnston	
Decentralization of government services	1971
Mr J. M. Johnson	
Agricorp	1971
Mr Villeneuve	
Child and family services	1971
Mrs Cunningham	
International trade	1971
Mr Sterling	
Charitable gaming	1972
Mr Jackson	

Oral questions

Taxation	1974
Mr B. Rae	
Mr R. F. Nixon	
Sewage treatment	1975
Mr B. Rae	
Mr Peterson	
Interprovincial trade	1976
Mr Harris	
Mr Peterson	
Social assistance	1976
Mr Harris	
Mr Peterson	
Education	1977
Mr R. F. Johnston	
Mr Peterson	
Landfill site	1978
Mrs Marland	
Mr Scott	
Correctional officers	1978
Ms Oddie Munro	
Mr Patten	
Social assistance	1979
Mr Allen	
Mr Beer	
Transportation Safety	1979
Mr Cousens	
Ms Collins	
Palliative care	1980
Mr Faubert	
Mrs Caplan	
Nursing home	1980
Mr B. Rae	
Mrs Caplan	
Milk quotas	1981
Mr Villeneuve	
Mr Ramsay	
Real estate industry	1981
Mr Tatham	
Mr Sorbara	
Travel industry	1981
Mr Philip	
Mr Sorbara	

Reports by committees

Select committee on education	1982
Mr Campbell	
Adjourned	1983
Standing committee on regulations and private bills ..	1983
Mr Callahan	
Agreed to	1983
Standing committee on administration of justice ...	1983
Mr Chiarelli	
Adjourned	1983

Standing committee on government agencies	1983
Mr Sterling	
Adjourned	1983

Petitions

Food banks	1983
Mr D. R. Cooke	
Religious education	1984
Mr D. R. Cooke	
Sale of conservation authority land	1984
Mr Adams	
Control of smoking	1984
Mr Adams	
French-language school board	1984
Mr Poirier	

First readings

Child and Family Services Statute Law Amendment Act, 1990, Bill 233	1984
Mr Beer	
Agreed to	1984
Agricorp Act, 1990, Bill 234	1984
Mr Ramsay	
Agreed to	1984
Crop Insurance Act (Ontario), 1990, Bill 235	1984
Mr Ramsay	
Agreed to	1984
Farm Income Stabilization Act, 1990, Bill 236	1984
Mr Ramsay	
Agreed to	1984
Gaming Services Act, 1990, Bill 237	1985
Mr Sorbara	
Agreed to	1985
Town of Oakville Act, 1990, Bill Pr98	1985
Mr Carrothers	
Agreed to	1985

Motion of nonconfidence

Mr Sorbara	1985
Mrs Cunningham	1985
Mr Reycraft	1987
Mr Laughren	1988
Mr Brandt	1991
Mr Adams	1992
Mr Charlton	1993
Mr Elliot	1994
Mr R. F. Nixon	1994
Mr Harris	1996
Negatived	1997

Government motion

Interim supply, resolution 33	1997
Mr R. F. Nixon	1997
Mr Laughren	1998
Mr Cousens	1999
Mr Philip	2001
Mr Jackson	2002
Mr Mackenzie	2003
Mr Neumann	2005
Mr R. F. Johnston	2005
Agreed to	2008

Second reading

Environmental Protection Statute Law Amendment Act, 1990, Bill 220	2008
Mrs Grier	2009
Ms Bryden	2009
Mr Sterling	2010
Mr Adams	2011
Agreed to	2012

Committee of the whole House

Environmental Protection Statute Law Amendment Act, 1990, Bill 220	2012
Mr Adams	2012
Mr Sterling	2012
Mrs Grier	2012
Reported	2015

Second readings

Law Society Amendment Act (Insurance), 1990, Bill 164	2015
Mr Scott	2015
Mr Polsinelli	2015
Mr Reville	2015
Mr Sterling	2015
Agreed to	2016
Construction Lien Amendment Act, 1990, Bill 215	2016
Mr Scott	2016
Mr Polsinelli	2016
Mr Reville	2016
Mr Sterling	2016
Agreed to	2017
Legal Profession Statute Law Amendment Act, 1989, Bill 45	2017
Mr Scott	2017
Mr Polsinelli	2017
Mr Reville	2017
Mr Sterling	2017
Agreed to	2018

Committee of the whole House

Legal Profession Statute Law Amendment Act, 1989, Bill 45	2018
Mr. Laughren	2019
Mr R. F. Johnston	2019
Reported	2019

Second readings

Landlord and Tenant Amendment Act (Animals), Bill 225	2020
Mr Scott	2020
Mr Polsinelli	2020
Mr Philip	2021
Ms Bryden	2023
Mr Jackson	2023
Mr Sterling	2024
Agreed to	2026
Vital Statistics Amendment Act, 1990, Bill 150	2026
Mr Haggerty	2026
Ms Bryden	2026
Mr Sterling	2026
Agreed to	2026

Other business	Adjournment	2026
Member for Waterloo North	Lists of members	
Mr Elston	Members and their responsibilities	2027
Mr B. Rae	Committees of the Legislative Assembly	2030
Mr Brandt		
Lorne Bradley		
The Speaker		
Mr B. Rae		

TABLE DES MATIÈRES

Le mercredi 27 juin 1990

Déclarations ministérielles	Première lecture
Services à l'enfance et à la famille	Loi de 1990 sur Agricorp , projet de loi 234
M. Beer	M. Ramsay
Jeux de bienfaisance	Adoptée
Mr Sorbara	Loi de 1990 sur l'assurance-récolte (Ontario) , projet
	de loi 235
Pétition	M. Ramsay
Conseil scolaire de langue française	Adoptée
M. Poirier	Loi de 1990 sur la stabilisation des revenus agricoles ,
	projet de loi 236
	M. Ramsay
	Adoptée

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81
-123



54 1990

54 1990

Legislative Assembly of Ontario

Second Session, 34th Parliament

Official Report of Debates (Hansard)

Thursday 28 June 1990

Assemblée législative de l'Ontario

Deuxième session, 34^e législature

Journal des débats (Hansard)

Le jeudi 28 juin 1990

Speaker
Honourable Hugh A. Edighoffer

Clerk
Claude L. DesRosiers

Président
L'honorable Hugh A. Edighoffer

Greffier
Claude L. DesRosiers

Languages in Hansard

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Langues paraissant dans le Journal des débats

Le Journal des débats rapporte en anglais ou en français les débats, selon la langue utilisée par les participants. Les remarques faites en l'une ou l'autre langue ne sont pas traduites. La langue des en-têtes et de la table des matières reflète la langue utilisée.

Table of Contents

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 28 June 1990

The House met at 1000.

Prayers.

ORDERS OF THE DAY

SIOUX LOOKOUT DISTRICT HEALTH CENTRE ACT, 1990

Ms Oddie Munro, on behalf of Mr Miclash, moved second reading of Bill Pr59, An Act respecting Sioux Lookout District Health Centre.

Motion agreed to.

Third reading also agreed to on motion.

TOWNSHIP OF PLYMPTON ACT, 1990

Mr D. W. Smith moved second reading of Bill Pr65, An Act respecting the Township of Plympton.

Motion agreed to.

Third reading also agreed to on motion.

TOWNSHIP OF FRONT OF LEEDS AND LANSDOWNE ACT, 1990

Mr Runciman moved second reading of Bill Pr68, An Act respecting the Township of Front of Leeds and Lansdowne.

Motion agreed to.

Third reading also agreed to on motion.

HUMAN RESOURCES PROFESSIONALS ASSOCIATION OF ONTARIO ACT, 1990

Mr McGuigan, on behalf of Mrs Cunningham, moved second reading of Bill Pr70, An Act respecting the Human Resources Professionals Association of Ontario.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF MISSISSAUGA ACT, 1990

Mr Runciman, on behalf of Mrs Marland, moved second reading of Bill Pr78, An Act respecting the City of Mississauga.

Motion agreed to.

Third reading also agreed to on motion.

EMPIRE CLUB FOUNDATION ACT, 1990

Mr Miller, on behalf of Mr Polsinelli, moved second reading of Bill Pr87, An Act to revive The Empire Club Foundation.

Motion agreed to.

Third reading also agreed to on motion.

1010

TOWN OF NIAGARA-ON-THE-LAKE ACT, 1990

Mr Dietsch moved second reading of Bill Pr88, An Act respecting the Town of Niagara-on-the-Lake.

Motion agreed to.

Third reading also agreed to on motion.

ST GEORGE'S SOCIETY OF TORONTO ACT, 1990

Mr Reville moved second reading of Bill Pr90, An Act respecting St George's Society of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF THUNDER BAY ACT, 1990

Mrs E. J. Smith, on behalf of Mr Kozyra, moved second reading of Bill Pr92, An Act respecting the City of Thunder Bay.

Motion agreed to.

Third reading also agreed to on motion.

DINORWIC METIS CORPORATION ACT, 1990

Ms Oddie Munro, on behalf of Mr Miclash, moved second reading of Bill Pr93, An Act to revive Dinorwic Metis Corporation.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF KINGSTON AND TOWNSHIPS OF KINGSTON, PITTSBURGH AND ERNESTOWN ACT, 1990

Mr Keyes moved second reading of Bill Pr97, An Act respecting the City of Kingston and the townships of Kingston, Pittsburgh and Ernestown.

Motion agreed to.

Third reading also agreed to on motion.

TOBACCO TAX AMENDMENT ACT, 1990

Mr Daigeler, on behalf of Mr Mancini, moved second reading of Bill 160, An Act to amend the Tobacco Tax Act.

Mr Daigeler: This bill, entitled An Act to amend the Tobacco Tax Act, implements two major initiatives announced in the Treasurer's budgets of April 1988 and April 1990.

The first is the tobacco marking program, which is designed to reduce and eliminate the sale of illicit, untaxed cigarettes in this province. The marking program places strict guidelines on those who import and export cigarettes and on retailers. Under this program, cigarette packages, cartons and cases available for sale in Ontario will now be required to display the Ontario tax identification mark. The only exceptions are cigarettes sold to status Indians on reserves, to diplomats or for export. All others must include a special indicator showing that the tax has been paid on the product.

This bill outlines the regulations and guidelines for the marking initiative. The program itself was put into practice on 1 March 1990, when manufacturers began marking cigarettes,

and will reach full implementation at the retail level by 1 November 1990.

The tobacco marking program requires all Ontario manufacturers, importers, exporters and wholesalers to be registered in order to deal in tobacco products. Failure to register will result in strict penalties.

This bill will also simplify and streamline the reporting system for tobacco wholesalers and manufacturers.

In the April 1990 budget the Treasurer announced a second initiative, a rate increase on cigarettes and cut tobacco. The estimated revenue increase in 1990-91 due to the new tobacco tax rate is \$158 million. The introduction of the cigarette marking program should also generate additional revenues.

I look forward to comments from my colleagues and passage of the bill.

Mr Laughren: The Minister of Consumer and Commercial Relations and I do wish to express the opposition view on this, and I appreciate the parliamentary assistant's comments and the fact that he is acting out his role as an extension of the bureaucracy in the Ministry of Revenue.

Hon Mr Sorbara: That's not fair and untrue; you know that, Floyd.

Mr Laughren: I think we all know that there is a very effective bureaucracy in the Ministry of Revenue and their political role is played out in here by the minister and his parliamentary assistant. I think that is perfectly normal. As a matter of fact, the Minister of Consumer and Commercial Relations and I were just talking about that and how that seems to be the case in this government. However, I do not want to be petty and that has got nothing to do with the bill that is before us.

This bill, as the parliamentary assistant indicated, raises the tax on cigarettes and of course, subsequently, the price.

There is something unusual about this bill, because it is not simply an increase in the price of cigarettes. It does one other thing as well. It increases the price of cut tobacco more than it increases the price of the cigarettes that you buy, a much more substantial increase in the price of cut tobacco, which is the tobacco that comes in the package or the can and which people then roll their own cigarettes from. I found it interesting that people who want to save money on cigarettes and use the cut tobacco now save no money at all when they buy cut tobacco in terms of taxes because the taxes are the same on the two products.

I was comparing the rate of taxes in Ontario with other provinces. If you look at the tax on a package of cigarettes, Ontario is the second lowest in Canada for tax per cigarette. In Prince Edward Island, the provincial tax is 7 cents per cigarette; in Nova Scotia, 6.8 cents; in New Brunswick, 6.79 cents; in Saskatchewan, 6.68 cents; in the Northwest Territories, 6.6 cents; in Manitoba, 6.5 cents; in British Columbia, 6.2 cents; in Alberta, 5.6 cents; in Quebec, 5.52 cents; in Newfoundland, 5.28 cents; in Ontario, 4.83 cents, with this legislation; and in the Yukon, 3.2 cents. So Ontario is the second from the bottom in the taxation of cigarettes.

If you turn now to cut tobacco, you will see that Ontario, with this very substantial increase in the tax on cut tobacco, is the second highest. Why would the government see it as being fair to have a tax per cigarette being the second lowest in the land and on cut tobacco the second highest? It is as though they are out to punish those people who try to save some money to roll their cigarettes rather than buying the finished product, the finished cigarette.

I am not opposed to this bill. I support the principle of this bill, which is to increase the tax on cigarettes. I want to make that clear. But I do find it passing strange the way the government has decided to increase substantially the tax on cut tobacco and to move itself up to second place.

Just as an example—I will not read all the numbers—the highest tax per gram of cut tobacco in the land is in Nova Scotia at 5.25 cents, then comes Ontario at 4.83 cents, whereas the bottom of the scale, Yukon, has 1.14 cents. So there is a very substantial difference in the taxes that are applied to both cut tobacco and to finished cigarettes. I hope that when the parliamentary assistant responds at the conclusion of the debate, he will tell us what prompted that increase.

I know it equalizes the tax on the cigarettes. If you have a 4.83 cent tax on a cigarette, then 4.83 cent per gram is what it takes to make a cigarette when you roll your cigarette. That is how I understand the tax so that it is equal, that for the same number of cigarettes you pay the same amount of tax. But historically it has been the case that there was a nod towards those people who felt they could save some money if they rolled their own cigarettes. This is no longer the case and the government has decided that whether you roll your own or buy the finished product, you should pay an identical tax. I would be interested in knowing what the government's thinking on that was.

1020

I would be interested in hearing from the member for Norfolk as well, who I know has an abiding interest in the taxation of tobacco products; he is a member who has represented his constituency remarkably well over the years in making representation to government.

As I said earlier, we are going to support this bill because I think most people regard it as a legitimate source of taxation. The only other thing I would comment on, and it is not precisely in this bill, has to do with the assistance to tobacco farmers who want to get into some other business. Society is frowning on smoking because of health reasons, and if smoking does decline in the years ahead, and most of us hope it does, then I think we have to be more aware of the problems of the tobacco farmers.

It is not as easy as simply saying, "Switch to peanuts in your growing, or switch to some other crop." It is much more complex than that. You cannot just turn one kind of soil over to another crop with the snap of your fingers. I think this government has not been fair in aiding tobacco farmers in switching to another product on their land. The last number I saw was in the 1987 budget. A commitment of \$15 million to the tobacco assistance program was announced. That was back in 1987 and it became a joint program with the federal government. Then in the 1989 budget it talked about a \$40-million joint extension of the tobacco exit assistance program. So there has been some growth in the assistance to tobacco farmers.

I do not think it is enough. I think this is one of those examples where if a government wanted to put a surtax on cigarettes and apply that surtax to the assistance of tobacco farmers, the public at large would accept that. But it has not done that. It has simply put another tax on cigarettes and thrown the revenues into the consolidated revenue fund and then it expects the tobacco farmers somehow to switch to another product with virtually no assistance from government.

Governments are part of a program out there to discourage people from smoking. I think they then have an obligation to encourage and assist tobacco farmers to switch to another product. I do not see the government doing that in a very

serious way. I would be interested in knowing what the government's plans are in that regard. I do not think it is fair to separate the taxation of the product and the publicity against smoking from the problems of tobacco farmers. I think the government has an obligation to do that.

The last numbers I saw in that program to help tobacco farmers switch were that 573 farmers had been paid some kind of assistance, 50 applications for assistance were pending and were somewhere in the process, and 550 were still on the waiting list. I would ask the parliamentary assistant how he justifies hanging those 550 people out to dry, as it were, if we have a program. Either the government wants people to switch to other products or it does not. I do not think it is appropriate where we have as many people on the waiting list as have been provided with assistance under the program for tobacco farmers. I think that is inappropriate.

I believe over 7,000 acres have been taken out of production. I do not know what proportion of the total amount of land dedicated to tobacco growing that represents but, if the parliamentary assistant has that information, I would be interested in that as well.

I will conclude my remarks by saying that we do indeed intend to support this bill, but I would appreciate some of those answers from the parliamentary assistant, who is a very able extension of his bureaucracy.

Mr Villeneuve: I will only participate for a few moments. I know time is of the essence today.

It is always interesting to see the government going after tobacco farmers and charging consumers more for the product they use. I realize that using tobacco is considered to be a sin, and of course the sin taxes get piled on, but I find it amazing that in one year this government goes after more than \$180 million from one sector of agriculture and then makes a big to-do about the fact that it is supporting interest rates to the tune of \$48 million over one year. We still do not know how this particular program is going to be put forth, but we do know there was a great deal of fanfare made of \$48 million. The other side of the equation is that they are going to a small sector of the agricultural community and collecting \$182 million over a full year through this particular bill, with the increase in cost of tobacco and tobacco products.

The particular area of concern was touched on by my colleague who spoke immediately before me in that we have to find alternative crops for our tobacco-producing sector of the economy in southwestern Ontario. Tobacco rights have been reduced very considerably over the past number of years. We can grow the crop; we just do not have the demand. We have to be exporting the product and I believe we are looking into that. However, it is always of great concern to me when \$48 million is added with a great deal of fanfare, noise and announcements while on the other side they go after \$182 million a year from one of the sectors in the agricultural spectrum that is having a great deal of difficulty surviving.

In conclusion, I say this government should be ashamed when on the one hand all it can provide is interest relief to the tune of \$48 million and on the other hand it is going after \$182 million from a small sector of the agricultural economy.

Mr Miller: I am pleased to rise this morning and participate in the debate on Bill 160, an act to increase the tobacco tax for the province of Ontario. As one who represents the riding of Norfolk, and perhaps 80% of the tobacco that is grown in Ontario and Canada, I feel very strongly that I should speak out on behalf of that part of our agricultural economy.

The member for Stormont, Dundas and Glengarry says it is a sin to smoke. Well, I smoke. I do not know if I am sinning or not, but I do not think it is a sin. It is a legal product and I think it is a matter of choice if we get satisfaction from utilizing tobacco. It has been utilized for thousands of years by the choice of each individual.

The thing that really concerns me, and has been expressed to me many times by the Canadian Tobacco Manufacturers Council and the Ontario Flue-Cured Tobacco Growers' Marketing Board, is that we are competing with our friends to the south under the free trade agreement that has been brought forward. We either can produce what we utilize here ourselves or we can wipe our farmers out and import it from across the border.

The thing that really bothers them is the fact that our tax has put us in a position where cigarettes and tobacco are twice as expensive in Canada, and I am speaking of Canada now because I know the member for Nickel Belt indicated that we have the second-lowest tax in Canada. I am pleased to know that, but the thing is the difference between Canada and the United States.

Free trade is here, our border is long and the level of Canadian taxes on tobacco products versus those of the United States, our major competitor, lends itself to smuggling, which is costing the government substantial losses each year. A criminal element is being born which will eventually have to be dealt with by the governments involved. I think this bill is trying to deal with that element. That is the concern that has been expressed to me by the Ontario Flue-Cured Tobacco Growers' Marketing Board and by the Canadian Tobacco Manufacturers Council, and I want to make sure that all members of this Legislature are aware of that.

1030

I see our friend the member for Carleton has just come into the House, and I know he wants to enter into the debate because he would like to tell me if I can or cannot smoke. The member for Carleton is not going to be able to do that, I am sorry. I think I am able to make that judgement myself, and I think that people around the province should be able to make that judgement. I am not promoting, but I feel strongly in that regard. We have too many people indicating that we should do this and do that. I think we have to make those choices.

Education plays an important role, and it is being done within the education system. I think that is good for health, and the Ministry of Health is carrying that out at the present time for a healthier lifestyle. I support that principle. But again, the tax itself, where we are doubling the price of our Canadian product versus that of our American friends to the south, lends itself to smuggling. Big money can be made from it very easily and I think we have to take those things into consideration.

Mr Sterling: I would be remiss if I did not make a few comments on something like this. I have been talking about the use of tobacco and particularly the addictive nature of tobacco, and therefore I disagree very strongly with the statement of the member for Norfolk with regard to my concern about telling other people whether they should smoke or not.

I have never suggested in this Legislature that anybody should not be permitted to take tobacco if they so desire. I do very much object to the right of other people to pollute the environment for non-smokers by the use of tobacco. I believe this is a principle which has now been embodied in some way in legislation and certainly has been accepted by society as not being fair to people who do not want to inhale secondhand

smoke, which not only causes discomfort but also causes disease.

We are still losing about 35 people every day in this province because of smoking, both firsthand and secondhand smoke. In other words, 35 people are dying directly because of that, and they are dying prematurely by seven or eight years. That is the unfortunate part of tobacco. It is a proven scientific fact that this is resulting from that habit.

As I have travelled this road in dealing with this whole issue, I have asked the Treasurer for higher tobacco taxes because it is also a proven fact that with higher tobacco taxes you discourage young people from smoking; they have less disposable income. Therefore, it has been proven time and time again that as you increase the price of cigarettes, fewer young people take up the habit.

One of the fallacies, of course, and one of the things that we must teach our young people, is that while they may choose to smoke the first, second, third or maybe even the 25th time, it eventually becomes a very heavy addiction, an addiction which, according to the Addiction Research Foundation of Ontario, is even more addictive than the addiction to alcohol by people who are addicted to that particular habit.

I have also said, during the last five years in which I have talked on this particular subject, that this government has done precious little to protect those who have been involved in the production of tobacco and tobacco products. I believe that at this time they are providing something like \$3 million in the buyout program, whereas our federal government, the government that this Liberal provincial government dumps on, is providing three, four, five times that amount of money to help buy out tobacco producers in southwestern Ontario. While the member for Norfolk is very sensitive to the issue of tobacco producers, his government has done nothing, effectively nothing, to help out the situation, even though this very tax is going to raise significant amounts of money.

I have said that we should impose a tax of 10 cents per package and give it all to the producers. Let's buy them out once and for all, even if we have to pay them two times the market value of their farms, in order to buy off that particular concern.

I understand it is a way of life as well but, unfortunately, the product of that way of life provides disease and death as a result of the use of that particular matter.

This government has said before that it is not only the producers who must be protected but also the communities that have relied on the wealth that the tobacco industry has enjoyed in the past. We must give those communities some help from the substantial tobacco revenue which we collect in this province. We should also provide retraining, not only for tobacco farmers but also for people who work in the plants that produce tobacco products.

I have no qualms in supporting this particular tobacco tax. I do have qualms about how they are spending the revenues they are collecting. They are not helping out the people who are being affected by the drop in the use of tobacco in Canada. They are not helping out the tobacco farmers, which they should be, and they should be ashamed of their efforts in this regard. They have done precious little to address the real problem and the plight of the tobacco farmers in southwestern Ontario.

My party, if we were given the privilege of governing in this province again, would be certain to deal with that in a direct, forthright and fair manner, which this government has not done.

Mr Tatham: I would just like to say that some people enjoy a smoke and, unless you are going to make tobacco illegal, I would like to think the people who supply the tobacco should be growing it in Ontario.

I would like to point out that under the tobacco assistance program since 1987 up to 7 February 1990, 474 growers have exited tobacco production, representing 38 million pounds in quota. The federal and Ontario governments cost-shared a \$30-million, three-year program beginning in the 1986-87 fiscal year and expiring 31 March 1989.

I have dealt with some of these people and assisted them where possible, and I understand there is no help for the tobacco industry, but certainly our government is endeavouring to look after the tobacco farmers.

Mr Laughren: Very briefly, the one addition I would make to the member for Carleton's comments, and the member for Oxford touched on it, would be that it is not simply the farmers who can be badly hurt when there is dislocation in the industry but also the producers, the ones who actually manufacture the cigarettes, and there are lots of people in that industry. That is why I think there needs to be a substantial increase in the amount of assistance, not just to farmers but to people in the manufacturing end of the tobacco business as well if they go out of that business.

1040

Mr Miller: I would like to make a couple of comments on the remarks of the member for Carleton. There is a program that has been put in place to assist the farmers, as the member for Oxford pointed out, plus the alternative crop team that was established to do exactly what the member was indicating.

There are other programs to re-educate and to retrain, and many of the people in the industry have taken advantage of it, both husbands and wives and they have been able to start afresh, but it has not been easy. I will be the first one to acknowledge that. But our government has been responsive in trying to assist, along with our federal friends. I am not saying that there has not been co-operation. It takes both areas of government.

As the member pointed out, \$30 million was put into a fund from 1986 to 1989. Another \$10 million was put in this last year to give assistance if there are more farmers who should and want to exit the trade. I think the bottom line is that if the production gets down too low, then the buyers will not come to do the buying. You do not have enough choices and that has to be a concern.

Do we want to really have an industry long term? The strategy we have been utilizing in trying to assist is to maintain a long-term industry which has been so important, not only to the economy of my area but to Canada generally. It is one of the third or fourth crops that produces the most dollar return of any crop in Canada. So it is important.

Again, I do not think that we want to import, that this is the intention of the third party, to say we should knock it off and import everything. That is fine, but I am going to support my farmers in what we can grow here and in what we can make a dollar on.

Mr Villeneuve: Just a very short comment is that the present amount of money taken in by the total taxes on tobacco and tobacco products in Ontario is well above double the entire budget for the Ministry of Agriculture and Food, that of operating the ministry, paying all the salaries and the support programs for agriculture. It is an absolute disgrace when the tax

that is taken in on tobacco is literally double the entire budget of the Ministry of Agriculture and Food. I want to put that on the record.

The Deputy Speaker: Would the member wish to respond?

Mr Sterling: Yes, I would like to respond very briefly. I noticed that two Liberal government backbenchers who talked on this subject studiously avoided telling this Legislative Assembly how much in actual dollars this government has given to the tobacco buyout program. Why? Because they would be embarrassed to compare their share of that program with the federal government's share of this program.

Mr Furlong: Oh, come on.

Mr Sterling: It is true. The provincial government has been a penny-pincher in terms of helping out the tobacco industry in this province. It has done nothing to help them out in effect. It is the federal government that has helped out the tobacco farmers in this province.

We feel that if we are setting a goal to reduce the smokers in this province by one half—that is what the Liberal Minister of Health has said—if we are going to cut down the market for the tobacco farmers and for the people who are working in the tobacco industry in the plants, then we should be darned well willing to go out and help those people.

We are today voting for a bill where we are going to increase revenue substantially, I believe by some \$180 million. I am just asking that the Treasurer give at least 10% of that back to the tobacco farmers so we can buy up the many farms. There are more farmers wanting to get out and, because the program has not been funded by this government, they cannot be bought out.

Interjection.

Mr Runciman: On a point of order, Mr Speaker: I want to point out that the member for High Park-Swansea was heckling from a seat other than his own.

The Deputy Speaker: Interjections are never in order no matter which seat they are from.

Do other members want to participate in the debate? If not, does the parliamentary assistant wish to wind up?

Mr Daigeler: Yes, thank you very much, Mr Speaker, for what I thought was a rather philosophical debate at times on a bill that is essentially a revenue bill.

I was a bit disappointed that no one made mention of the other aspect of this bill relating to the cigarette marketing program, which is a very important initiative. In fact, it implements a recommendation from one of our standing committees, the standing committee on public accounts, which very strongly urged us to make sure there is no smuggling and no unfair taking advantage of a tax benefit by certain people in the province.

However, with regard to the increase in the tax rate, the member for Nickel Belt to a certain extent answered his own question as to why the cut tobacco prices rose quite a bit more than the price on cigarettes. If he wants the philosophical reason, I think it is quite clear that it would be relatively easy, especially for young people, to switch from the packaged cigarettes to rolling their own cigarettes if the uncut tobacco were not at the same price as the packaged cigarettes. I think that is the main reason why the Treasurer felt, and I think rightly so, that the price of the uncut tobacco should be the same as that of the cut tobacco or packaged cigarettes.

With regard to the tobacco farmers, the member for Carleton was indicating that he is so proud of the contribution of the federal government. He was talking about three, four or five times the amount that is being put in by the Ontario government. The reality is that it is less than two times. I acknowledge that but, after all, it is the federal government; it has so much more money than we have in the province.

During 1988-89 the government of Ontario provided \$3.5 million in assistance to tobacco growers and, as he indicated, a further \$6.5 million was provided by the federal government. That is not anywhere near three, four or five times the amount that the member for Carleton was talking about.

Interjections.

The Deputy Speaker: Order, please.

Mr Daigeler: The member for Carleton probably will advocate in future an even higher tax increase, but I should also indicate that—in comparison to the other provinces, we are still at the relatively lower end of taxation for tobacco products; so there is certainly room in that regard to move.

I am aware that there is assistance for tobacco farmers. We agree with the members who have spoken that we support an orderly transition for tobacco farmers into another product. In fact, in the last year, the tobacco farmers in the province were producing to the limit of their ability. We are working with the tobacco industry and with the tobacco farmers to initiate a smooth transition to other products by the farmers and we have been very successful in this regard.

Finally, I wish to thank the member for Nickel Belt for his good comments about the Ministry of Revenue. I think he appreciates the briefings we have provided to him and I am glad he used the information that we gave him.

Motion agreed to.

Bill ordered for third reading.

REPORT, STANDING COMMITTEE ON THE OMBUDSMAN

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the 16th report (1988) of the standing committee on the Ombudsman.

Mr Velshi: I am pleased to participate in this debate as chairman of the standing committee on the Ombudsman. This report was tabled by me for adoption some time ago, some weeks back in this House. After long and thorough discussions by two standing committees and three ombudsmen, the report was finally prepared and approved unanimously by my committee.

I would like to thank all committee members, the Ombudsman and her staff, the staff of the Ministry of Agriculture and Food and the staff of my committee for all their co-operation and support in this very long and trying affair of Farm Q Ltd.

1050

Mr Charlton: Just very briefly, as the Chairman has implied, the issue of Farm Q has been outstanding now for some six or seven years. The committee's recommendation will allow a mechanism to kick in to finally resolve this issue one way or the other. I would urge all members to support this report so that the gentleman in question can finally get some resolution to this issue.

Mr Sterling: I have had personal contact with the owner of Farm Q, who I think has been diddled around by this government for the past five years. Before that time, there was indecision on the part of the former government in dealing with this issue. I make no excuses for the former government. I do not make any excuses, of course, for this government as I am not a member of it.

I hope they will deal with this person in a fair and equal manner, that he will not be charged excessive amounts of money to go through the process and that the report will provide him with a recourse for what I feel was a great injustice on the part of government officials some time ago. We are fully supportive of setting up this arbitration process.

Motion agreed to.

House in committee of the whole.

ONTARIO HOME OWNERSHIP SAVINGS PLAN AMENDMENT ACT, 1988

Consideration of Bill 105, An Act to amend the Ontario Home Ownership Savings Plan Act, 1988.

Mr Daigeler: Mr Chairman, I wonder whether I may be permitted to move further down to the floor.

The Chair: Please go ahead. Will you require some staff? Staff will come forward.

Mr Laughren: I have no objection to the parliamentary assistant moving to another seat and having some officials assist him. It provides further evidence that this parliamentary assistant is not just an extension of his bureaucracy but indeed is indistinguishable from it.

The Chair: To recap, I have a list of three proposed government amendments, to section 5, section 12 and the change to the long title of the bill. Are there any other proposed amendments from anybody else?

Sections 1 to 4, inclusive, agreed to.

Section 5:

Mr Daigeler: Again I am subject to your ruling, Mr Chairman, but the minister already read that amendment into the record.

The Chair: I think you might want to do it again. The member for Carleton has a comment.

Mr Sterling: Yes. I was involved in the debate on this section last time on this matter and I had a question of the minister. The amendment to section 5, I believe, was put there basically in response to a concern by the New Democratic Party with regard to the conversion of rental property contrary to the Rental Housing Protection Act, 1989, or the Rental Housing Protection Act, 1986.

This act gives certain rights or benefits to prospective purchasers of real estate property. My concern here was, whom are we penalizing by putting this kind of section in place? It is my understanding from discussions with some of the staff from the Ministry of Revenue that in fact what we would be doing is penalizing a young couple who may have entered into an agreement of purchase and sale in order to buy a unit on the basis that they were going to receive the benefits of the program. Then they would be excluded from that right because something had taken place two years prior to their taking on this agreement and they would be left out in the cold as far as the benefits are concerned.

It would be nothing to do with their participation in the act of illegally converting a rental unit to a co-op unit or whatever might be the case. I had asked the minister to reconsider putting forward this amendment. The minister is not here today, but perhaps the parliamentary assistant could respond to that concern, because I am certain he is aware of it.

The Chair: Does the parliamentary assistant wish to respond?

Mr Daigeler: Yes, in fact I do have some comments on the remarks that were made the last time, but I would just like to be clear. Am I supposed to read the amendment again?

The Chair: I have on the record that we have read it.

Mr Daigeler: I am pleased to respond to some of the concerns that were raised the last time the bill was debated in the House. I understand first of all that the member for Nickel Belt had a few comments and he raised some questions with regard to this amendment to section 5. I personally feel it is the very intent that the member is putting forward which is being addressed by the amendment to section 5, because it ensures that only the homes which comply with the provisions of the Rental Housing Protection Act will be recognized for Ontario home ownership savings plan purposes.

The member for Nickel Belt really is concerned, not so much I think with the amendment but with clause 1(1)(ga) of the bill before the introduction of this amendment, because it does recognize a partial ownership in a multi-residential unit as an eligible home. However, this particular amendment does make sure that only such units as qualify and respect the Rental Housing Protection Act are recognized as eligible for OHOSP.

The Rental Housing Protection Act, 1989, protects the supply of rental housing in the province by setting stringent controls on conversions. I am sure the member will agree with this particular provision. All legal conversions require the approval process provided for by the Rental Housing Protection Act. This process involves, of course, application to municipal council, notices to tenants, public hearings on the application and possible appeals to the Ontario Municipal Board. Therefore, I think it is highly unlikely—I think this is the member's fear—that individuals would seek out and make application to convert an existing rental property simply to take advantage of OHOSP.

The member did ask also why Bill 105 refers to these conversion units at all. We feel that not to refer to these units would be ignoring reality. This type of ownership does exist and in many instances this type of ownership is found in some of the least costly types of housing. Again, I do think the member representing the official opposition should be supportive of that, which of course would be very attractive to first-time home buyers who might otherwise be unable to afford a home.

1100

In addition, if we were not recognizing these ownership co-operatives under the Ontario Home Ownership Savings Plan Act, it would mean that individuals who presently own these units would not be considered to own a home for OHOSP purposes. In other words, this would mean that they could go to their financial institution and open an OHOSP to save towards the purchase of a first home when in fact they already own one. We feel that this would create a very inequitable situation and that is why we have included the partial ownership in condominiums in this bill.

The member for Carleton was wondering whether the amendment would penalize the first-time buyer or the con-

verter, and obviously he is rightly concerned to protect the interests of the first-time buyer. But being a lawyer himself, the member for Carleton would know that we do hire lawyers, often at a considerable price, to ensure that the interests of the individuals are protected and that they would advise against a purchase which would be in contravention of any legislation. Any lawyer dealing with a purchase of this type should therefore be asking for evidence from the vendor that the creation of the unit complies with rental housing protection legislation.

If a purchaser does unknowingly enter into a purchase of a possibly illegally converted unit, he or she has the option of voiding the transaction and obtaining the return of any amount paid under the transaction. In addition, the Minister of Revenue has the discretion to not recover tax credits where OHOSP funds were used for the purchase of an illegally converted unit in special cases of hardship.

In addition, the member for Carleton raised the question of how the Ministry of Revenue would become aware of illegal conversions. First of all, I would like to inform the member that the OHOSP application form will be amended to include a consent for the Ministry of Revenue to release information on the application to the Ministry of Housing. We will then be able to provide Housing, which administers the Rental Housing Protection Act, with the details of any purchase which seems to be in contravention of that act.

Furthermore, the Ministry of Housing has provided us with a list of legal conversions which we can use to determine whether an OHOSP purchase involves an illegal conversion or not. Any purchase which appears to contravene the Rental Housing Protection Act will again be referred back to the Ministry of Housing. Where it is determined that the property has been illegally converted, the plan holder will be subject to tax credit recovery, plus interest.

I trust that at least in part these comments will answer the questions that were raised by the member of the opposition.

Mr Sterling: As I listened to the response, I do not know how many of these applications there are each year, but I imagine the number would be substantial. Perhaps the parliamentary assistant can tell me what he is expecting—10,000, 20,000?

Mr Daigeler: There are 40,000 plans opened a year.

Mr Sterling: There are 40,000 plans opened a year. Let's say there would be less than that, but it seems to me that it would be not unreasonable to think that there might be 10,000 a year coming in. Let's say there were 10,000 a year. That means the ministry is going to check the location of each of these particular applications, the unit they are buying, as against another list to determine whether they are buying a legally or illegally converted unit.

I know the intent of these two sections. The intent is to not allow someone who has illegally converted a unit to go out and tout these illegally converted units and use the government program as part of an additional sales tool. I think that is a noble goal to try to achieve. My concern, however, is that innocent purchasers are going to be caught by this rule and that no person who has illegally converted a unit is going to be caught in terms of a penalty that this is intended to provide.

The fact of the matter is that most lawyers practising real estate probably will not be involved in this process. First of all, usually the real estate agreement is signed without consultation with a lawyer. Second, the lawyers themselves will not have a list of illegally converted units in their offices. In other words, they will have no idea whether or not they comply with this

legislation, even if a purchaser went to their offices and posed that question. Often a lawyer does not have any idea as to how the financing is going to take place in terms of tax relief and that kind of thing until well into the transaction.

I just think that, while the intent is well placed, it causes a bit of an administrative nightmare and it also is going to penalize some young couples who are going to be buying what would be termed an illegally converted unit without any real avenue for them to go down. I think you are just creating more problems than you are really solving here, that is all.

Mr Laughren: My problem with the argument of the member for Carleton is that the alternative to this is to leave it, which would allow, indeed, people who were purchasing an illegal conversion to receive government assistance. I do not think we can have it both ways in this.

I was concerned about this as well and I went to an acknowledged expert in this matter, David Warner, the former MPP for Scarborough-Ellesmere, who has always put the interests of tenants and taxpayers first in any of the judgements he has made. He tells me that we are better off with this amendment than we would be without it. When David Warner speaks on a matter of housing, I listen to him very carefully. As a matter of fact, I thought he was going to be here this morning in the gallery, but I gather he is out canvassing and knocking on doors and could not be here. But I did want to express my appreciation to the parliamentary assistant for bringing in this amendment. We shall support it.

Mr Daigeler: I would respond very briefly to the member for Carleton just to say that most of the applications we receive under OHOSP do come through the legal process and that most of the people do employ the services of a lawyer, so there should at least be that professional assistance.

The Chair: Are we ready for the vote?

Mr Laughren: As long as it is agreed that this is from now on to be known as the Dave Warner amendment.

Motion agreed to.

Section 5, as amended, agreed to.

Sections 6 to 11, inclusive, agreed to.

1110

Section 12:

The Chair: Mr Daigeler moves that subsection 12(2) of the bill be amended by adding after "5(1)" in the second line "(1a)."

Mr Daigeler: Very quickly, the purpose of this amendment is simply to make the amendment that we have just adopted effective as of 8 June 1988.

Mr Laughren: This does make sense and I have no hesitation in supporting the Warner II amendment.

Mr Sterling: I would like to ask the parliamentary assistant how many people will be asked for money back as a result of this amendment, in that it is retroactive. You are obviously going to go back if this is a problem. There are maybe 100 young couples who now are going to be asked for a considerable amount of money that has been paid to them by the Minister of Revenue, and I would just like to know what this is going to do to affect those young people.

Mr Daigeler: As the member for Nickel Belt has said earlier in the debate on a different item, the Ministry of Revenue,

despite what some people might feel, does have an open heart and is sympathetic towards all taxpayers. Certainly there is no attempt to penalize people, especially young people, who through no fault of their own may be in a situation where they might have to pay something back.

So I am sure that, in his usual discretion, the Minister of Revenue will look at cases of that nature that may come up in a sympathetic fashion and one that is responsive to the interests of the whole province.

Mr Laughren: Once again, I would just like to say that I thought about that too. What if a couple had inadvertently got into a mess and it was through no fault of their own. They had already spent the money that they got through the program. Because I was concerned about that, I went and I asked David Warner what he thought about that and he said he thought that perhaps the Ministry of Revenue would use discretion in this matter and not try and penalize people who through no fault of their own purchased an illegally converted unit.

Mr Sterling: If the Minister of Revenue is as kind as he is, why would he make it retroactive? I mean, what is the purpose of making it retroactive? The people have bought these units now on the basis of the old rules. The old rules were that if you bought a unit, you were entitled to the program. Now we are saying, if you bought a year ago, you are not entitled to the program under these two conditions that, somehow somebody prior to your buying the unit had converted, not illegally but contrary to these other particular matters.

If there is goodness and kindness in the heart of the Minister of Revenue, why on earth make it retroactive? Why would we not put this in place as to when the people might at least have some chance of knowing what the law was? I find it very, very retrogressive in terms of the whole idea of saying to somebody, "You are entitled to a benefit, but the Legislature has now decided that you are not entitled to the benefit and we are going to go back and collect it from you." We cannot support that kind of amendment.

Mr Daigeler: There is not only goodness in the heart of the Minister of Revenue; there is also fairness in the heart of the Minister of Revenue. Quite frankly, if we were to disregard the ownership of people up to now, they could apply for another Ontario home ownership savings plan and therefore would defeat the purpose of the program, so that is why this amendment will be retroactive.

Mr Sterling: People who have made the decision prior to this Legislature's making this decision have made it on the basis of what the law was, and the law was that they were entitled to the program. So why should we in this Legislature say we have this idea now that we are going to make the law and therefore the plans of these young couples who have bought are dashed by this Legislature? I find that repulsive and, as I have said, we will not support that.

The Chair: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 12, as amended, agreed to.

Section 13 agreed to.

The Chair: Is there a motion for the long title?

Mr Daigeler: This may be known as the Laughren amendment rather than the Warner amendment.

The Chair: Mr Daigeler moves that the long title of the bill be struck out and the following substituted therefor:

"An Act to amend Certain Acts in relation to Ontario Home Ownership Savings Plans."

Mr Daigeler: Again, in the goodness of our hearts, we are responding to a concern that has been expressed, this time not by Mr Warner but by the member for Nickel Belt, and I trust that will address his concern.

Mr Laughren: I do have a problem with this amendment. It only refers to one other act and that is the Succession Law Reform Act. I wonder if there was some reason why the ministry did not name that other act and call it An Act to amend the Ontario Home Ownership Savings Plan and the Succession Law Reform Act. "At that point, it would seem to me those who are interested in these matters—that does not include most of my constituents, but lots of people are—when they read the bill, they would know exactly what two acts this piece of legislation was amending, namely, the Ontario Home Ownership Savings Plan Act and the Succession Law Reform Act.

Having said that, I do appreciate the way in which the ministry responded after only very gentle prodding from the Chair.

Motion agreed to.

Bill, as amended, ordered to be reported.

LIQUOR LICENCE ACT, 1990 (continued)

Consideration of Bill 175, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor.

Section 7:

Hon Mr Sorbara: Mr Chairman, with the indulgence of members of the committee, I would like to invite officials to join me and ask your permission to join them down in the front row.

The Chair: Please. All gather together at the front.

Ms Bryden: While we are waiting for the officials to appear, I would like to make a request to make a few general comments on the debate and on the amendments we seek, to refresh members' memories as to what Bill 175 is all about.

Members will recall that second reading debate on Bill 175 started on 12 June and was continued on 18 June, and committee of the whole was just started on 12 June—

The Chair: Order, please. We were specifically discussing subsection 7(1) at this point.

Ms Bryden: That is right. That is what I wanted to say.

The Chair: That we were on subsection 7(1)?

Ms Bryden: No, I wanted to make an overview of what we were doing when we got to start at subsection 7(1), the reason being that this occurred on a most important day of the Legislature, the visit of Nelson Mandela. As a result, the committee of the whole stage was interrupted before it really got started. I would like to do maybe a five-minute overview of where we are at in the committee of the whole and what we are trying to do.

1120

Hon Mr Sorbara: On a point of order, Mr Chairman: I think we have heard from the member for Beaches-Woodbine

on the general thrust of the bill, both in second reading debate and when we began consideration. I would just point out to you, Mr Chairman, that her views are recorded in Hansard. They are eloquent and to the point of the bill. As we are on this final day of this session, I am not sure it is appropriate or in order that we have a general overview of the bill again. I just point out to you that we are considering an amendment to section 7, and I think it is appropriate to carry on with that amendment.

The Chair: I agree.

Ms Bryden: On a point of order—

The Chair: No, please. Usually, when members want to make a general statement they do it on section 1. Considering where we are at, this has had a chance to be done. We have already started discussion on amendments to section 7. I rule that we leave it to discuss section 7 and continue with the specifics. I am sorry but, with the time frame and whatever, we have lots of things to cover in committee of the whole. You had a chance to do it when we called for comments and questions on section 1. We are now on section 7.

Ms Bryden: Mr Chairman, on a point of order: There have been developments since 12 June on the Liquor Licence Act, and one of them is a decision by the tribunal on the application for a licensed premises in a provincial park. We have not discussed that at all. The printed decision of the tribunal was not available at that time. I think that is a relevant thing to discuss among the amendments I would like to see before our party can decide whether to vote for third reading on this.

Therefore, I wanted to list just a few amendments that I would like to see come in committee of the whole before we can decide whether to support third reading. It would not be a really lengthy overview, but a listing of the amendments we would like to see which have not been discussed and on which time did not permit discussion in the previous proceedings.

The Chair: Do you have some proposed amendments that you want to bring forward?

Ms Bryden: I do, but I am hoping the government will bring forward some of the others or will indicate a commitment.

The Chair: You cannot work on anticipation like that. I have asked, and I am ready to ask again, if any members, government or opposition, want to bring forward proposed amendments. If there are none, then we deal with the list that I have right now. I do have a list. Since we have already started debate on section 7, we will deal with section 7. If you want to make some general comments, then all members are invited at third reading to make those general comments.

Hon Mr Sorbara: Mr Chairman, on the point of order and the request from the member for Beaches-Woodbine: I understand her desire to put some further thoughts before this committee, and I think probably that is possible. She is suggesting about five minutes of comments. I have no problem with that. Probably, as an experienced parliamentarian, she can craft those remarks within the context of the amendment that is before the House.

I want to reiterate that I look forward to hearing from her. I hope, as this is our last day and there is a lot of work to cover, she will restrict herself to the section generally that we are considering, but I would not want to interfere with her ability to make a point or two while she is considering that section.

The Chair: If you are saying that restricting herself to the section we are discussing—we are discussing amendments to section 7. I have asked the member before if it was to section 7;

it was to be general. Now, this is not compatible with what we have decided.

Hon Mr Sorbara: I am in your hands, Mr Chairman.

The Chair: Let's discuss section 7 and continue the discussion we had started on section 7, the proposed amendments that you, Minister, had already moved. Any further discussion on section 7?

Ms Bryden: The amendment to section 7 put forward by the government is to elaborate the point about public notice of an application for a liquor licence. I think the minister or the government was recognizing that on second reading there were a considerable number of complaints that under the act as proposed, it was all to be done by prescription; that is, under the regulations section the government was to set forth all the requirements for public hearings and all the requirements for advertising, notifying the public, clarifying the legislation and telling the public what its rights to be consulted would be on applications for liquor licences.

This is certainly one of the very substantive sections of the bill and one of the amendments that we will use as a criterion whether to support this bill on third reading or not. In my opinion, the government's proposal is a completely inadequate response to the comments we made about the need for involving the public in the future in being able to discuss and appear at public hearings for applications for liquor licences.

The reason it is completely inadequate is that it simply adds one little phrase that says that when an application is received, the board shall advertise the application "(a) in the prescribed manner in a newspaper having general circulation in the municipality, and (b) in any other manner that is prescribed." So virtually the whole thing is still left to prescription by regulation.

One of my main complaints about this act is that the regulations section is so sweeping and all-encompassing; that is, section 62, which is the regulations section, enumerates 35 areas which may be decided by regulations, and the Lieutenant Governor in Council, namely, the cabinet, is given almost unlimited power to rewrite the act, make exemptions and issue advertising guidelines.

With this kind of regulations section, this becomes government not by legislation but by a provincially appointed special purpose board, the Liquor Licence Board of Ontario, which will be able to completely control the licensing of liquor outlets and the regulation, sale and consumption of alcoholic beverages in this province. The liquor licence board is not really accountable to anyone except through the minister to whom it reports in the Legislature. But I do not recall very many times when we had hearings on the activities of the liquor licence board.

This is one of the reasons I wanted to say that there are several amendments we are looking for in this process of committee of the whole, and one of them is to limit the regulatory power. But another one is to spell out more precisely what the terms are under which the public will be notified of public hearings, because under the act it simply says that when a hearing is requested, a member of the board, a single member of the board, may decide to issue a licence, or if he receives at least one objection, may decide to hold a hearing or may request a review.

There is nothing in the act that says what happens when he requests a review, nothing that says whom he has to notify, nothing that says anything about further advertisements, nothing that mentions, actually, that in a big city like Toronto there should be at least two newspapers used for an ad. There is

nothing spelled out about what the member of the board who has this application before him will do when he conducts a review. This, it seems to me, is a complete destruction of the whole system of public hearings that we have had and leaves the public completely in the dark as to what will actually happen when a liquor application is received.

1130

There is a further item that I think I mentioned in my second reading speech, but which is not dealt with at all in this act, and that is where we would also like a further amendment saying that applications for transfers of licences should be notified to the public, and public hearings held if requested. Where it is a substantial transfer of the licence, the public should know about it.

I know that they are supposed to be notified under the present act if there is a substantial increase in the number of seats requested, but this act is even silent on that subject and just simply ignores the whole question of transfers of licences. So that would be another amendment that would be part of our criteria for supporting or voting against this bill, that there should be a guarantee that transfers of licences will be subject to notice and public hearings.

As a criterion for deciding on whether to grant applications, the act does retain the statement that the board or the member of the board will decide whether the application is "in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located."

There is no definition in the act of that term. It is presumably left entirely up to the board member deciding on the application whether that has been met. There is not even a requirement that they should consult the municipality or the public as to what their wishes and needs are. I think that is really the crux of the whole abdication of public consultation and the concern of the public about the effects of liquor licences in their neighbourhood, in their area, on their lifestyle. So that is another area where I would like to see an amendment in committee of the whole as we proceed.

I would also like to get a commitment somewhere in the act that the advertising guidelines that have been issued already, in the spring, should be subject to public review by a standing or select committee to ensure that they do not condone sexist advertising or lifestyle advertising that puts liquor consumption as part of all activities—recreational, leisure and sports activities.

Instead, we should have advertising of liquor which accepts the use of liquor by responsible adults, but which does not indicate that your lifestyle is incomplete if you do not include the consumption of liquor in all activities. That is a fourth amendment I would like to see included in the committee of the whole report. If I do not see any indication from the minister that he might be committed to having a review by a standing or select committee of those advertising guidelines before they are finally adopted under the new act, then we will be very reluctant to support this bill.

A fifth one is in regard to the regulations and the regulatory power, which is so great. It is that the government should adopt a notice and comment policy regarding regulations. This means that all regulations should be published in advance of adoption by the Lieutenant Governor in Council and there should be an opportunity for the public to comment on those regulations.

This procedure is carried out with a great many other regulations, particularly ones affecting the environment, where the public is invited to comment on the effects of liquor. At the moment there is nothing in this act that would suggest that the

literally thousands of regulations that are authorized under this act will have any prepublication or notice and comment opportunities.

Those are the amendments that I am particularly looking for. There is one final one. There is nothing in the act that recognizes that abuse of alcohol and alcoholic beverages is the cause of many serious health, social and family problems. Alcoholism is often the cause of wife battering and child abuse. It is the cause of many auto accidents, as we all know, and it is the cause of boating accidents and some drownings.

There is no recognition in the act that the proliferation of outlets leads to increases in consumption of alcohol. There is no recognition that it leads to increases in all of the health, social and transportation problems we face. There is no recognition that the fallout from abuse of alcohol or alcoholism leads to tremendous extra costs in our OHIP system, hospitals, courts, policing and our welfare system.

I think it is irresponsible of this Legislature to adopt a new system for regulating the sale and consumption of alcoholic beverages without recognizing those very serious costs that may arise from the proliferation of outlets and without including in its legislation some steps to study the effects of proliferation and to make an in-depth study of the extra costs arising from the proliferation of outlets. That is another area where we would have liked to have seen further legislation.

Mr Chairman, I thank you for giving me the time to make this comment on subsection 7(1). I would still like to ask the minister, where are the draft regulations that will go with this bill? That is part of my point, that we have not seen them yet. With regard to subsection 7(1), we will vote for it as a first and timid step in the direction of public notice, but we consider it completely inadequate and we have an amendment of our own that is much more comprehensive, which I think and hope the government will also adopt.

Motion agreed to.

The Acting Chair (Mr Polsinelli): The Chair has been given notice of another amendment to section 7 from the New Democratic Party.

Ms Bryden moves that subsections 1a and 1b be added to section 7 as follows:

"1a. The board shall distribute written notice to all residential and business premises within a 500-metre radius of the site of the premises seeking such a licence at least three weeks prior to consideration of the application.

"1b. Such notice shall specify the type of licence sought, the number of spaces applied for and the maximum hours of operation allowed under such licence. It shall also specify whether patio, boulevard café or adult entertainment licences are being applied for by the applicant. It shall also clearly indicate that if at least one written objection is received from a resident of the municipality, a public meeting shall be held. At least three weeks prior to the date of the meeting, the time and place shall be advertised in at least two newspapers in the municipality if it has more than one newspaper; and written notice shall be sent to all residential and business premises within a 500-metre radius of the site of the premises."

1140

Ms Bryden: Members will notice that this requires notice at least three weeks prior to consideration of the applicant. I think that should be an essential part of the bill so that the residents concerned and affected by any liquor licence application in their neighbourhood will have adequate time to become

aware of the application, to learn about the details of the application and to possibly organize with their neighbours a lobby group or a group of people to demand a public hearing, to start with, and then to attend it, but you need at least three weeks prior to consideration of the application.

A similar notice should apply to a decision of the board to hold a review of the application, and the nature of the review should be advertised, as well as the time at which the public would have an opportunity to discuss the application and what is being requested.

Members will notice also that under clause 7(1)(b) the notices should specify the type of licence sought, the number of spaces applied for and the maximum hours of operation. These hours of operation are really crucial to the neighbourhood, because when you have licensed premises that close at the normal closing hour under the present law of 1 am, you do have great disruption of the neighbourhood at the time when the patrons come out between 1 and 2, often somewhat noisy, often starting cars up at that late hour and generally waking people up. In my opinion, the hours of operation of any licensed premises adjacent to a residential neighbourhood, particularly along commercial strips that abut right on residential neighbourhoods, should be limited to 11 pm so that the sleep of the residents is not disturbed.

Patio licences, boulevard cafés and adult entertainment licences should also be notified to the residents, because they can change the nature of the neighbourhood considerably. I certainly think that adult entertainment licences should be confined to commercial streets not abutting on residential neighbourhoods and should be limited in their number because of the problems that arise from them in the way of parking and noise from the actual entertainment, as well as noise from the patrons when they come out. Also, members have to remember that some of the patrons misbehave when they do come out, leave litter, use the neighbouring lawns for other purposes and generally can create a very substantial nuisance to the neighbourhood unless they are controlled.

In my own area, patio licences on the premises of the restaurant are outlawed in a certain area unless they are limited. They are completely outlawed in the area between Woodbine and Victoria Park. This was due to a city hall bylaw being passed to say that new patios were really completely incompatible with a residential neighbourhood and made too much noise and disturbance in the summer particularly.

The Liquor Licence Board of Ontario has in the past been licensing patios for applications in this area and then saying, "Let the city turn them down, because they are outlawed by this bylaw." I think the liquor licence board should not license the patios in the first place, because it can easily ascertain that there is a bylaw forbidding such patios and therefore it is simply wasting the time of people inviting them to come to a public hearing about a patio when the patio is illegal from the start. They should wait until the city has changed that bylaw and allowed patios before they would even consider licensing a patio in the area.

Boulevard cafés can also cause nuisance and noise, and maybe the sidewalks are not big enough to accommodate them, but again I think you should leave it to the municipality to license such cafés. Then the applicant should have to come to the Liquor Licence Board of Ontario for licensing as well, but it should not license it in advance of the decision by the city.

If this amendment is adopted, we would have a more streamlined system of public consultation, but it would be one in which the public has an opportunity to make its concerns

known to the liquor board and there would be adequate advertising.

In the past, the liquor board had adopted the practice of posting on the premises a notice that a liquor licence had been applied for. This actually stems from the days when Frank Drea was the chairman; a group of citizens in my area got from him an agreement that such posting would be required, but it was never written into the law. It is not a very good way of indicating to the local residents that a liquor application has been made. It does not usually give many details about the type of application, the number of seats and so on, but also it is not always noticeable. Even if it is posted, sometimes it is put behind a bush.

Under this amendment we would require that all residential and business premises within a 500-metre radius of the site of the premises seeking a licence should receive notice at least three weeks prior to consideration of the application.

This is a perfectly reasonable request. It is done by the municipalities in many cases for zoning bylaw changes and for other city initiatives that may affect the residents. I see no reason why it should not be done by the Liquor Licence Board of Ontario, which is dealing with a matter which can affect their lifestyle greatly. The neighbours may have reasons why they think it is not in the public interest to have a liquor licence in an area that is close to a school or a child's park or even in a city park, which was one of the issues in my riding recently.

Actually, that issue was debated before the Commercial Registration Appeal Tribunal. They did get a fair hearing from the tribunal, which they would not get under the amendments that are before us that are to eliminate appeal to the Commercial Registration Appeal Tribunal and rely only on the Divisional Court. It is certainly not fair, and also it puts the residents at a great disadvantage.

The Divisional Court route is much more expensive, has a much longer delay, and it can also only discuss matters of law or procedure and not whether it is in the public interest to have a liquor licence granted. So it is not an adequate tradeoff to say the Divisional Court can deal with it. The Divisional Court can deal with almost any public agency or body which makes rules for the public. It is used very little by many of the residents' associations because they cannot afford it.

This amendment would require at least adequate notice and a chance for the residents to go to or write to the liquor board and tell it why it is not in the public interest.

Mind you, we do object to the fact that the liquor board does not consider parking as part of its concern. In this day and age, to ignore parking or say that the municipalities can manage the parking problems associated with the proliferation of outlets is simply ridiculous. We have had to have a tow-away zone around the racetrack for two or three years, and around some of the liquor establishments in our area, simply because the increased traffic and the increased parking from the proliferation of restaurants and liquor outlets has made it impossible to operate on Queen Street without a tow-away zone.

The liquor board must consider things like parking, lifestyle, the effect on children from the proximity of so many liquor outlets and the general problem of whether proliferation of outlets does increase the use and the abuse of liquor.

I would urge the government to adopt my amendment as a further step simply to fulfil its obligation to give the public an opportunity to be heard and consulted and not to shut that door completely, as it has really done by its present section, even as amended by the amendment we just passed.

Motion negatived.

Section 7, as amended, agreed to.

1150

Sections 8 to 61, inclusive, agreed to.

Section 62:

Mr Sorbara moves that paragraph 24 of subsection 62(1) of the bill be struck out and the following substituted therefor:

“(24) Authorizing the board to approve training courses for the service or delivery of liquor.”

Hon Mr Sorbara: In response to opposition suggestions, we have included that training courses be prescribed for those who apply successfully for a licence to deliver liquor in the province.

Ms Bryden: I appreciate the gesture in the amendment by the minister and the government to recognize that we do need training courses for the people who serve the customers and who will be expected to cut them off if they no longer should be served and who will understand that people who are being served should be urged to have either a designated driver with them or make other plans when they leave to go home by taxi or public transit and not to drive their cars. I hope that the training courses would improve the appreciation of the servers of their responsibility to see that they do not contribute either to auto accidents or to the increase in alcoholism by serving more drinks than are allowed at one time and things of that sort.

As far as extending this amendment also to the taxi firms which will be licensed to deliver alcohol, while we will support the amendment, we think it is entirely the wrong approach to be encouraging consumption of liquor after hours by delivery by taxi. It seems to me that is what that service will be used for mostly, after-hours service. The liquor stores are open a considerable number of hours, in the big metropolitan areas certainly, and in most big cities. People should be able to look after their needs even up to 10 or 11 say or whatever hours they keep. To encourage taxi drivers to get involved in this side business of delivery of liquor seems to me opening the way for putting the taxi drivers into the liquor sales business and could also lead to some risk for them if people think that they are on liquor deliveries or have liquor on board, and I think it is an entirely wrong move.

It does not mean that I object to the extension of delivery of liquor through agencies, particularly in remote areas where there are insufficient liquor stores or insufficient agency stores. I think special rules need to be made for the underserved communities in the province. I think they should have the same right to purchase liquor as other people, and to purchase it under conditions where it will not be consumed off the premises of the purchaser, but I think that this regulation about allowing it to all taxis that are approved by the liquor licence board is much too wide. It would be nice if they were perhaps required to publish a list of which firms are approved and what sort of requirements they make for regulating the deliveries and the terms under which they are delivered and for ensuring the safety of the taxi drivers.

I think this amendment is a useful one, but it does not nearly answer my requests for many other amendments in the act, and I am disappointed that we have already got up to the second last section without some of the other areas that I have mentioned being considered by the minister. I think he has in effect told us that he is not interested in my amendments, particularly about the study of the effect of the proliferation of outlets on our health costs and on our policing costs and on our

highway costs. I wish he would perhaps comment under this section as to why he has not considered any other amendments along the lines that I have mentioned.

Hon Mr Sorbara: I fully understand where my friend the member for Beaches-Woodbine is coming from on the amendments that she proposed, and while I am not proposing to put the kinds of amendments that she would like in the bill, I just want to tell her, on this last day that we are sitting together here, that the kinds of things she is talking about will be reflected not only in the regulations but in the general administration of this act. Some of the studies she is calling for indeed are done; they are not done always by the Liquor Licence Board of Ontario, but they are done by other organizations within the province.

Ms Bryden: I can see that the minister is bent on getting this bill through as quickly as possible, before we have any studies of the effects of alcohol consumption and the proliferation of outlets on the health and lifestyle of the community. I can see no other reason for it being rammed through today, except the fact that since it gives the liquor industry the opportunity to increase the proliferation of outlets with much less need for consulting the public, the government is presumably hoping to get a grateful industry to reward it with political contributions for the coming election. That seems to be the only reason for it being rammed through without these studies.

The Offer commission made no studies of this sort, and it was entirely an in-house commission. It did have some public hearings, but that was three years ago. We badly need public hearings on this very serious subject of alcoholism and addiction.

We know that the government's grants for the treatment and rehabilitation of alcohol victims are completely inadequate. People are having to be sent to hospitals in the United States. Others are having to wait months to get an appointment for an addiction treatment centre. If we had some public hearings on these subjects and learned about the cost to society of alcoholism, I think we would be much more ready and willing to set up in the fall a study of the effects of addiction and the need for treatment and programs that will discourage the use of alcoholic beverages as much as possible.

Hon Mr Ward: On a point of order, Mr Chairman: Since we are approaching the hour of adjournment, I would seek unanimous consent to continue to sit until the completion of this item or an additional 10 minutes, whichever comes first.

The Chair: Is there unanimous consent for this?

Agreed to.

1200

The Chair: Did the member for Beaches-Woodbine complete her statement?

Ms Bryden: I wanted to speak on paragraph 62(1)34.

The Chair: Do you have a comment on paragraph 62(1)34?

Ms Bryden: Yes. Paragraph 62(1)34 is in the regulations section—

The Chair: Order, please. We have not completed discussion of this proposed amendment here. We should dispose of this first before we go on to something else.

Motion agreed to.

The Chair: The member for Beaches-Woodbine wants to make a specific comment on paragraph 34, right?

Ms Bryden: Yes.

The Chair: Please go ahead.

Ms Bryden: Paragraph 62(1)34 is in the regulations section and gives the Lieutenant Governor the power of "prohibiting or regulating and controlling the possession of liquor in provincial parks, in a park managed or controlled by the Niagara Parks Commission, the St Lawrence Parks Commission, the St Clair Parkway Commission or on lands owned or controlled by a conservation authority established or continued under the Conservation Authorities Act."

Members will note that this section gives the liquor licence board the power to prohibit and control the possession of liquor in all kinds of parks except city of Toronto parks or parks in a municipality. We all know that most people do not like to see liquor either sold or consumed without regulation in all kinds of parks. We know that parks are mainly there for the recreation of families, children, sports people, canoeists, hikers, all kinds of outdoor activities and they should be, as far as possible, liquor-free. In provincial parks we do allow consumption of alcoholic beverages on a person's own rented campsite. The same is possibly true on lands owned by conservation authorities. But we do not really want to encourage liquor in those parks and I think the present laws show that.

There is special legislation that does allow the government—not the liquor licence board but the government—to control consumption of liquor in stadiums, in the Dome and in specialized sports facilities of that sort. I am not objecting to that special legislation. I think it should be under control and should be adequately regulated so that the consumption does not disturb the other attendees at such stadiums and the Dome, but it is probably best to leave that to the provincial government to control.

However, the omission of any mention of city parks seems to me a serious omission. This spring the Liquor Licence Board of Ontario approved a licence for a restaurant in Woodbine Beach Park, which is a city of Toronto park. No other city of Toronto park has a licensed premise in it. Under LLBO regulations and legislation they are allowed in Metropolitan Toronto parks and stadiums, as I mentioned, but not in a city park. Other city parks throughout the province also are not at the moment allowed to have licensed premises in them.

The LLBO did approve a licence for this restaurant in the city of Toronto park. It was appealed by a number of residents to the Commercial Registration Appeal Tribunal. While the appeal board did give a fair hearing to both sides in the issue, the board finally found in favour of granting the licence on the ground that the city of Toronto had approved it. Now it seems to me this is abdicating the authority of the liquor licence board to consider whether the city council adequately considered the needs and wishes and the public interest of the residents of the municipality.

It creates a very bad precedent to allow a restaurant to be licensed within a city park. An upscale restaurant bistro is incompatible with the recreational activities carried on in parks generally. This restaurant in the Woodbine Beach does not allow users to park their bicycles or strollers or pets. It does not

allow park users to bring their own lunches and supplement them with non-alcoholic beverages.

The premises use up valuable space in an already overloaded city park that serves thousands of families, children and singles from all parts of Toronto. It is also part of the Martin Goodman Trail. Its clients occupy parking spaces built for park users. It encourages drinking and driving since there is no close public transit or taxi stands. It opens the door to applications for licensed premises in every family park in the city of Toronto and probably in the province. All the applicant needs is approval by the council of the municipality in which the park is located.

I would have hoped that the minister, in bringing in this act, would have added city parks to the list in which the board may prohibit the possession and sale of liquor. It is really going to change completely the character of our parks. We simply do not have enough park space to allow it to be pre-empted or alienated to private, commercial uses. I think it is a very big issue that the LLBO has opened.

The Chair: Excuse me. Could I remind the member we have only two minutes left? Are you going to use up the time?

Ms Bryden: I would say this is an area the province should have looked at. The lawyer for the residents did point out that actually the Provincial Parks Act does mention city parks as well, but the appeal board ignored that fact.

Section 62, as amended, agreed to.

Sections 63 to 67, inclusive, agreed to.

The Chair: I had received a proposed amendment, an NDP motion, but I have to rule it out of order because it is against standing order 54, as it purports to collect taxes and whatever.

Ms Bryden: May I read it into the record and let you rule it out of order?

The Chair: If you want to read it into the record, fair enough. I will rule it out of order.

Ms Bryden: It is a very short amendment. I move that the following section be added:

"That the Liquor Licence Board of Ontario will allocate 1% of the net profits of the board for the purpose of alcohol rehabilitation programs."

The Chair: I have to rule it out of order because of standing order 54.

Ms Bryden: I would just like to point out—

The Chair: No, it is out of order.

Ms Bryden: —that the previous speaker mentioned it in second reading, the member for Cambridge.

Bill, as amended, ordered to be reported.

On motion by Mr Sorbara, the committee of the whole reported two bills with certain amendments.

The House recessed at 1210.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

AUTOMOTIVE INDUSTRY

Mr Kormos: Members will recall that back on 13 June I made a statement in this Legislature about the need for this government, these Liberals, if they are at all serious about the promise—and we know what Liberal promises are all about—that was made some time ago that they were going to fight free trade, if they were at all serious, they would have done something in response to that member's statement I made back on 13 June 1990.

That statement of course, as members recall, was about the need to amend the free trade agreement to increase the North American content requirement from 50% to 60% for automotive products. I told members last time about that urgent need, about how these Liberals ought to get off their butts, off their tails and start working at fulfilling some of their promises instead of working at covering their tracks when it comes down to broken promises, etc.

That request was in response to a plea to me from W. A. Smith, the plant manager at Gencorp Automotive in Welland. They are a significant employer and a significant supplier to the auto parts and auto industry. Now I get a subsequent letter, this one from Reub McArthur, vice-president of sales and marketing at Atlas Specialty Steels. Once again, Atlas Specialty Steels is making the same plea, the same request to what it believes to be its government.

But this government turns a deaf ear to them, just like the Tories in Ottawa have turned a deaf ear to them. These Liberals are no more interested in reinforcing the auto parts industry and its suppliers in Ontario than the Tories in Ottawa are. They are no more interested in the employment that is going to create than the Tories in Ottawa are. Shame on them.

CIVIL SERVICE

Mr Cousens: A quick comparison of the government phone books for the spring of 1985 and the spring of 1990 is all that is required to confirm the massive growth of the government bureaucracy that has been inflicted on the taxpayers by the Liberal government. Compared to its 1985 counterpart, the most recent government phone book, which is printed on longer paper, contains a total of 249 additional pages.

There are 175 additional pages of office listings, indicating that the Grits have been creating new bureaucratic positions and offices at such a clip that it requires, on average, 35 additional pages a year to keep track of them all. There are 38 additional pages of alphabetic staff listings in the Ontario government. Each page contains two columns, with each column listing 70 names, giving a total increase of 5,320, and that is just the increase in staff with their own phone numbers.

After five years of the Grits' spendthrift ways, the government phone book is half an inch thicker. Some of us maintain, on the basis of what we have seen in this House, that the government, and particularly the cabinet, is a bit thick as well.

Also like the phone book, the government in 1990 may be a lot bigger but it is not any better. Here is what it was in 1985. Here is what it is now in 1990. If this government keeps on growing, we are going to have a government phone book this big in five years. Let's stop killing the trees.

MORNING GLORY ELEMENTARY SCHOOL

Mr Ballinger: During the past three years I have been extremely honoured to be the elected representative for the riding of Durham-York. My riding is made up of five municipalities: Uxbridge, Brock, East Gwillimbury, Georgina and the town of Whitchurch-Stouffville.

During these past three years there have been many times I have been extremely proud of this Liberal government, and yesterday was exactly one of those. I was very pleased yesterday to participate in a press conference in my riding, in the town of Georgina, at the Morning Glory school, where the Minister of Transportation announced the construction of a turning lane for the safety of the children at the Morning Glory public school.

At this time, I also want to pay tribute to the parents' group and especially to Ken Hackenbrook who for the past six years, along with his group, worked extremely hard alongside our government to try to bring this specific turning lane to fruition.

I would just like to say again, Mr Speaker, through the three years I have been here it is always amazing when we listen to the opposition, and more specifically, a few moments ago, to the member for Welland-Thorold, who is so easy in condemning this government. But I can assure you that in my constituency, my constituents are extremely proud and pleased with the performance of this government.

In speaking to some of the parents yesterday at this announcement of the turning lane for the school, they said we are the first government to at least respond to the needs of this community and the concern for the safety of its children.

MUNICIPAL FINANCES

Mrs Grier: Property taxes in the city of Etobicoke rose by 7.8% this year. Approximately 2.6% of the city's portion of this increase was due to additional costs imposed by the provincial government. I have been a municipal councillor. I know how tightly city councils scrutinize their spending. I know how difficult it is to balance the competing and very critical demands for local services.

I know how easy it is for property taxpayers to vent their wrath about increases in taxes on the municipal politicians and how easy it is for the provincial government to get off scot-free when it forces the municipalities to bear the cost of new services. The provincial government boasts about new programs and promises; the municipal taxpayers pay the piper.

In Etobicoke in 1990 direct provincial actions increased the municipal budget by nearly \$2 million. Etobicoke, like other municipalities, was not consulted by the province when these programs were imposed upon it. When municipalities pointed out the effect the shifts in responsibility would have, they were ignored.

I suspect that this government will spend a lot of time in 1990 boasting about its achievements and programs. I hope that any such boasts will be followed by an acknowledgement of the additional burden these programs have placed on the level of government with the least progressive tax system, the municipalities.

For many years, New Democrats have been saying that the property tax was an unfair tax and one that should not be used to fund services to people. More and more property taxpayers are starting to agree with us.

GREAT LAKES WATER QUALITY

Mr Runciman: Last fall, the International Joint Commission held its fifth biennial meeting under the Great Lakes water quality agreement. The commissioner's report was released on the 18th anniversary of the signing of the first agreement.

Public concern for the Great Lakes ecosystem is now at an all-time high. It is clear the agreement has come of age. At the biennial meeting there were demands for government action to translate the principles, purposes and objectives of the agreement into enforceable laws. If we do not, the commission said, we will continue to mortgage the future of the Great Lakes by poisoning, suffocating and otherwise threatening them because of insufficient knowledge, other priorities and shortsightedness.

The commission made recommendations regarding toxic substances, implementation, remedial action plans, toxic spills and status reports from the parties involved. This last issue is very important as we move towards an election. The government of Ontario is a party to this agreement, yet we have seen no improvement in the quality of Great Lakes water for the last five years. If anything, it is worse.

I am particularly concerned about the St Lawrence River. I know many citizens and government officials are working together on the local remedial action plan to deal with the problems of heavy metals and organic compounds polluting the river from industry and inadequate sewage treatment systems. The St Lawrence RAP will soon be submitted to the commission. When it is, the government of Ontario should act immediately on its recommendations.

1340

PLANT CLOSURE

Mr Owen: VDO-Yazaki has a manufacturing plant in Barrie that produces electrical components for the automotive original equipment market. Recently it was announced that this plant is going to be phased out of operation at the end of the year in favour of transferring operations to a facility in Winchester, Virginia.

In the years leading up to the 1988 federal election, many people warned of the impact the Mulroney free trade deal would have on the branch plant sector of our economy. Without the necessity of maintaining a manufacturing facility in this country in order to do business here, when the urge comes to a multinational company to rationalize its operations, there is no incentive to keep the jobs here.

The closing of VDO-Yazaki in Barrie is more proof of Tory mishandling of our economy. A bad free trade deal, high interest rates and relaxed rules for big business are driving away good jobs in our province and in our country.

This closing has cost 150 jobs along with the pride those workers had in a job well done. The Barrie plant had an excellent track record and had been recording a net profit in its operation. This has made no difference in the final decision to transfer the operation to the United States to a plant that was not doing as well.

It is sad that the real people affected here cannot be seen for the dollar figures in Ottawa's eyes.

SOCIAL SERVICES

Mr Allen: In 1981 the Pastoral Counselling Centre in Hamilton was established to help individuals, couples and families seeking help with personal and relational problems. Since 1985 this centre has had a purchase-of-service agreement

with the region to provide counselling services to people on social assistance.

The centre never refuses service to a client because of inability to pay and has regularly served social assistance clients well beyond the value of the contract with the region, last year to the tune of over \$5,500. Sometimes the region has coughed up some additional dollars. Last year the shortfall was still over \$2,000 in an operation that runs on a close to break-even basis.

The tight financial straits mean that now clients are waiting eight months for service. This year the centre has already run through its contract money with the region, in a year when the May welfare case load provincially is up almost 20% over May of last year and the FBA case load is up 10%.

As we have seen time and time again this session, Ontario social services more and more are a matter of long waiting lists, even for people in desperate need, overworked and underpaid workers and community agencies with their backs to the wall.

The rich can afford private counselling services, but the Pastoral Counselling Centre is an essential part of social services for the poor in Hamilton. When is the minister going to provide sufficient counselling dollars for the full counselling needs of the social assistance case load?

LAYOFFS

Mr McLean: My statement is for the Minister of Health and it concerns the uncertain situation of the Oak Ridge division of the Penetanguishene Mental Health Centre.

It has been brought to my attention that the Ministry of Health and the Ministry of Correctional Services will be amalgamated within 18 months. I have been told that all contracts are on hold for the Ministry of Government Services. It has also been suggested that there are only 13 residents in some wards at Oak Ridge that normally hold 20 and that the former ratio of six supervisory staff to 300 residents is now 21 supervisory staff to 128 residents.

The minister had recently offered 13 unclassified workers part-time employment at Oak Ridge at a time when current part-timers had been informed that they would be laid off on 27 June. We really have to wonder why the minister would give serious consideration to cutting back staff when there was an equivalent of 509 hours of overtime pay between 28 May and 29 June due to a shortage of staff. We also have to wonder if the minister is giving serious consideration to placing the Oak Ridge division under the jurisdiction of the new superministry.

I think the minister should come clean and tell us exactly what is going on. It is time for him to end the uncertainty and speculation at Oak Ridge. There are several inconsistencies regarding Oak Ridge: less residents, more supervisory staff, more overtime and laying-off of part-time staff. Why would the minister lay off staff and pay overtime?

RESIGNATION OF MEMBERS

Mr Tatham:

Why plant a tree? Why help a friend?

Why build consensus or relationships mend?

You know the answer.

Because you are you; you're a builder, constructor.

There really are few.

The platform is lined with passengers all,

Waiting to leave to return in the fall.

But wait. Who can say with certainty now,

Who will return after the draw?

Yes, we do know that some minds are made up.

The uplands of Huron Jack Riddell will hold,

Friend George McCague the same I am told.
 The Oshawa man with a fine Irish name,
 Mike Breugh, will he move to Ottawa fame?
 Ray Haggerty smiles to the honeymoon home,
 Herb Epp and John Eakins are saying so long.
 Fine people, hard workers, word pitchers and catchers,
 Eggheads and eggbeaters, that's par for the course.
 We'll miss them I'm sure and we'll all them endorse.
 Now Johnsons are too with Marion gone,
 We shall lose their fine talents when they have withdrawn.
 We shall always remember the kindnesses shown,
 The happiness, sadness of battles long gone.
 But the qualities human they have in full measure,
 And love for our province we join all together.

VISITORS

Mr J. M. Johnson: On a point of personal privilege, Mr Speaker: I realize I am bending the rules slightly but I would like to acknowledge the presence of some very special visitors in the members' gallery, my three grandchildren, Andrea, Rachel and Timothy Johnson, my son Colin and his wife, Ellen. Mr Speaker, this is the children's first visit to Queen's Park and likely my last day so I did think you would allow me this slight honour.

[Applause]

The Speaker: I think by the applause you received unanimous consent.

RESIGNATION OF MEMBER FOR BEACHES-WOODBINE AND MEMBER FOR WELLINGTON

Mr B. Rae: I wonder if I might be permitted unanimous consent of the House to say a few words today, which may be the last day—we do not know, we only know the speculation—for a number of members. In particular I would like to pay tribute to the member for Beaches-Woodbine.

Agreed to.

Mr B. Rae: First of all, let me say that the grandchildren who were just introduced to the House should be very proud of their grandfather. They waved very naturally to all of us here, and I do not think it will be too long before we find there are other candidates in the Johnson family who are going to be seeking election to this place.

Mr D. S. Cooke: As New Democrats no doubt.

Mr B. Rae: They will certainly be New Democrats until they are of voting age anyway.

Since this may be the last day for a number of members before we may have an election—and none of us knows whether we will or we will not, but all of us have some certain instincts which we respond to from time to time—I wanted to say a few words today, in addition, to sincerely congratulate the member for Wellington who is retiring, who is a dear friend to all of us in the House and has been certainly to me and to members of our caucus.

I hope members will permit me to say a few words about Marion Bryden, the member for Beaches-Woodbine, who is retiring at the end of this Parliament and whose contributions to the House and to our party and our movement have been simply phenomenal.

The member for Beaches-Woodbine, or Marion if I may be permitted to break the rules on this occasion, has been a mem-

ber of the caucus since 1975. She has been, as members will know, a model of hard work, of perseverance, of dedication to her constituents, and I am proud to inform the members of the House that Marion is the longest-standing, longest-serving woman member of the Legislature in the history of the province of Ontario.

Members from other parties will have an opportunity to reflect on Marion's contributions to this place, on her dedication to her constituents, the fact that we would not have had legislation on equal pay, for example, if we had not had the pioneer work that Marion did long before it was fashionable and long before it had the support of other parties.

1350

If I can be partisan for just a moment, it is particularly as a member of our movement and our party that I want to pay tribute to Marion Bryden. It is hard to talk about Marion without also mentioning her husband, Ken, who was also a member of this Legislature before going on to return to academic life and to be a very distinguished professor of political science at the University of Toronto. Marion has given so much of herself to our party. Before she was elected to the Legislature, for 10 years she was the director—and indeed, when I say “director,” she was the director of research, she was the member of the research department, she was the New Democratic Party research department for the better part of a decade.

It is hard to describe the kind of dedication which Marion Bryden brings to her work and has brought to her work, the kind of dedication which she has shown on behalf of her constituents, the consistent good humour and loyalty which she has shown in our caucus and as well, of course, the many, many efforts that she has made on behalf of working people in this province, which she has expressed with such dignity and such determination in the House.

I can just say personally that few colleagues have been as consistent and as persistently loyal and as determined in terms of serving the party and the movement as Marion Bryden. It has been a remarkable career. I do not happen to think that her career is in any sense over. I know that there are many retirees' and seniors' organizations that are going to have now even more efforts made on their behalf by Marion than she has made so far. She has been a remarkable spokesman for her constituents in the east end of Toronto, a part of the world that I came to know very well as an elected representative from that area, and also as a very distinguished spokesman on behalf of the working people of this province.

I am sorry that the member is leaving, but I fully understand her reasons for wanting a little bit more free time and spare time with her husband, Ken. I want Marion to know that she goes with all the love and affection of all the members of our party and, I know, from members from all three parties.

Mr Cousens: It is rather sad that we are having to say all these goodbyes, because I would like to see all these people here in the Legislature for another year rather than have to go through this whole process. There is every reason in the world why I would enjoy—

Hon Mr Ward: Actually, Don, we are going to be saying goodbye to you.

Mr Cousens: Never mind that.

An hon member: Goodbye, Don.

Mr Cousens: Yes, "Goodbye, Don." I will make sure my riding—or try my best.

But when you see the member for Wellington bringing his grandchildren in on this special day, and then another member from our caucus—in case we are not back in September, the member for Simcoe West, there is a certain belief out there that he might not be back, and I want to put a word in as we—

Mr McCague: I know what I'm doing.

Mr Cousens: He is too special a person, and I just see these things going on, these politics that we are dealing with in Ontario.

I want to speak of the member for Beaches-Woodbine, but I have two members behind me who keep probing me to do certain things. But today, on behalf of our caucus—

Mr D. S. Cooke: Don't worry, we'll say nice things about you.

Mr Cousens: I am not going to leave yet. They will not say it until they are sure I am going.

I have had great pleasure over the last number of years in understanding the political process. Many people in our constituencies have no understanding of the depth of it. Because when you realize that the 130 people who are here representing their constituencies—each one brings special talents and skills, but especially that desire to serve the community and serve the province.

In dealing with the member for Beaches-Woodbine, Marion Bryden, she has been faithful in ever having a desire to serve people conscientiously and well. I have seen that in the way she goes about her committee work, her House duties, her whole depth of understanding of issues. It is obvious that she is researched in her activity and she brings with it a compassion and love of issues and people. I know the people of Beaches-Woodbine have been well served by a lady who has conscientiously given her best and who has been among the best of any legislators in this place.

I have seen her, as have other members, on the Ontario Legislature Committee for Soviet Jewry, which is a non-partisan committee of this Legislature in which we have tried to fight for the needs of Soviet Jews. I know that all of us have again respected very, very much the leadership the member for Beaches-Woodbine has given. We are just sorry that we did not have a special event through the Soviet Jewry committee before we rose to give special recognition to her. I hope there will be a chance for that because I know, and speaking on behalf of the many people involved there, they respect so much what she has done and has tried to do.

The member for York South has said that he does not think she will just sit back and do nothing. I was talking to Marion the other day, and I can just see her being busier than ever. Now that she has two pensions, one from this place and the other one for being a senior, and there may be a few others we do not know about, she is just going to be able to go out there and do all those things for the people of her riding and the people of the Metropolitan Toronto area, and do them in the same way she has in the past, for love and for making it a better world.

Thank you, Marion, for all you have done.

Hon Mr Ward: On behalf of the government caucus, I am honoured to have this opportunity to pay tribute to two very well-respected and long-standing members of this Legislature.

Mr Speaker, as you know, I have not been here all that long, but I will say this to the member for Beaches-Woodbine, that she truly has served as a model for anyone coming into this

assembly. The commitment she gives to her duties and responsibilities here as critic, as a committee person and as an advocate for the causes that she believes in, I think all of us could do well to emulate.

I was looking through the Canadian Parliamentary Guide just before coming in today. I know Marion has been here for some 15 years, but I also see that during her free time she is equally as committed as a volunteer to many other noble causes as well. I know that the people of Beaches-Woodbine are deeply grateful for the contribution she has made on their behalf. I want her to know that we all wish her well in her future endeavours.

I did not really come here prepared to acknowledge the contribution made by the member for Wellington, but some years ago I had the opportunity to visit his riding; I think it was to the Highland Games up in Fergus. I guess it was at that point that I first got to know the member for Wellington. I was very much struck by his non-partisan approach, his openness, his friendliness and his sincerity. Jack Johnson has indeed served his community with distinction. I do not think he has an enemy anywhere in this province.

Hon Mr Peterson: Except for Don Cousens.

Hon Mr Ward: Except for Don Cousens perhaps.

I want him to know that we will all miss him. I guess we should have expected that we would find out about his intentions in the manner in which we did. Such a low-key approach that he has as the member for Wellington, but he certainly does speak up on behalf of his community, and he has fulfilled his responsibilities admirably. We wish him well in his future endeavours.

All the best.

Ms Bryden: Since this may be the last sitting of the House which I will attend, unless the Premier is not going ahead with a premature election call, I welcome the opportunity to bid farewell to all members of the House and to make a few comments on my 15 years in this distinguished place.

First, I want to say that I have a very warm feeling about the Ontario Legislature, with its long traditions, its beautiful chamber and its present cast of characters. I use the term "characters" in the best sense of the word, because every one of the 130 members here brings to me an awareness of the diversity of our great province. Every member brings here his own unique personality and his geographic connections. Together, we have a contribution to make to the law-making process in this House.

1400

I would have liked to have seen more women among the faces surrounding me. As has been mentioned, I hold the record for the longest term served by a woman member in the House. I would have liked to have seen a more multicultural House, more visible minorities and some members who could truly call themselves first Canadians. I hope our current struggle against racism, wherever it shows its ugly head, from South Africa to the Arctic Circle to Toronto, will bring us a more representative House of all our Canadian people.

We are all called honourable members, and I hope we consider it important to merit that title. Sometimes I think we are overimpressed by our own importance with all the pomp and circumstance and we separate ourselves from the people we represent. It is humbling to be a member when you think of our responsibility to pass good laws and uphold democratic institutions. But it is only when we listen to those who tell us about their needs for decent housing, for equal educational and

employment opportunities and for saving our environment that we can exercise our decision-making power responsibly.

I have thoroughly enjoyed my years in the House. I started out as a member of the official opposition and as Treasury critic, up against Darcy McKeough. Since then I have had just about every portfolio, including Environment, women's issues, Education, Intergovernmental Affairs and Revenue. Now, perhaps fittingly, I end up as seniors' advocate. The Legislature and its committees are a great learning process, and that is one of the bonuses. It also teaches you much about human relations in the political arena and where the levers of power are to be found.

I belong to the class of 1975, which brought many new members to the House. Only five now in the House have more service than that class.

You may ask what I plan to do in the future. People like Rosemary Brown, a former MLA in British Columbia, and Pauline Jewett, a former MP, have shown that there is life after the Legislature. Rosemary is director of an organization helping women in the Third World to reach their potential. Pauline Jewett is serving as an adviser to Audrey McLaughlin, the first woman chosen as a party leader in the federal field. They can be models for all of us.

With all the demands for volunteers to work at saving the environment and the Toronto waterfront, or enhancing the rights of women, visible minorities and native people, or getting homes for the homeless and food for the hungry, I am sure that I will find more than enough to do to keep me busy.

I am disturbed by the erosion of democratic rights in the Legislature under majority government. I hope all members will make it a top priority to restore their role as champions for the poor, the oppressed and all the people of this province. Thank you.

Mr J. M. Johnson: I do not want to push my luck. After the tributes paid to the member for Oshawa on Monday, the House recessed. But I would like to just take a minute to thank all the members on both sides of the House for their kindness and friendship for the past 15 years, the clerks and assistants and all the people at Queen's Park. I will miss this place. This House has become my home. My wife, Marnie, certainly thinks so and that is why I have decided not to return.

I would just like to thank my constituents in my old riding of Wellington-Dufferin-Peel and the new riding of Wellington for giving me the honour and the privilege to serve for the past 15 years. I will miss this place, I will miss the people in it and I wish them all the best.

Hon Mr Ward: Since we know that today is the last day of this session, I wonder if we could have unanimous consent to acknowledge three long-standing servants of this Legislature.

Agreed to.

RETIREMENT OF EDITOR OF DEBATES

Mr Fulton: The name Hansard comes from Thomas Hansard, who was credited with the first recording of debates in the House of Commons in Westminster around 1811. Used throughout the United Kingdom, the Commonwealth countries and several other parliaments since then, Hansard replaced the Journals of the House here in Ontario in 1944.

Hansard supplies invaluable support and assistance to members and officials of the House as well as to many other interested parties and organizations.

Peter Brannan is chief of Hansard for this assembly and has for the past 30 years served this Legislature and the people of Ontario with distinction and dedication. Tomorrow he retires.

Peter came to this House as a result of an unexpected resignation of his predecessor. William Murdoch, the Speaker, called his daughter in desperation for a replacement. Peter, who happened to be a co-worker at Maclean Hunter just down the street, accepted the position immediately.

In those days, Hansard editors came from a variety of publishing houses and worked in shifts. The evening shift would walk up University Avenue and look at the red light at the top of the building, which would signify an evening session. Many years later, the red light was changed to a white light, not through a sense of moral decorum, but a white light was deemed to be non-partisan.

The Hansard crew moved from its fifth-floor garret shortly after it had transcribed the words of the former leader of the NDP, Donald MacDonald, who said that the fifth floor was a firetrap from which no one could escape.

Mr Brannan has served eight Speakers of this Legislature, from the Honourable William Murdoch to you, sir, and five premiers, from Leslie Frost to David Peterson. It was Leslie Frost who made the complaint that for the price of producing the official record, he could pave nine miles of highway. With that, he cancelled printing for three years. Perhaps my friends from the north might consider that.

Today, Peter oversees a budget of \$3.5 million and 47 staff members. He has managed and directed Hansard into the modern electronic age. Hansard can now produce draft transcripts within the hour and a complete, formal printing within one day.

Mr Brannan is the founding president of the Hansard Association of Canada and a member of the Commonwealth Hansard Editors Association.

A veteran of the Royal Air Force, Peter was formerly the editor of the Canadian Aviation publication. Not so well known is his interest in provincial highways. About four years ago, he inquired of the former Minister of Transportation about opening the Don Valley Parkway directly into the 401 eastbound express lanes. That wonderful improvement, that I would like to have named the Brannan bypass, was done as a direct result of his interest.

Peter is also an avid sailor, sailing from Frenchman's Bay Yacht Club, where he also serves as editor of the club magazine. He is also a racer of little note. He has won few, if any, pennants but he is always at the start line and always finishes the race and always with his great sense of humour intact. He and his wife, Anne, will travel extensively the next few months throughout Great Britain, and winter at Madeira Beach Yacht Club.

It is a great pleasure for me to have this opportunity, as Peter's member, a fellow sailor from FBYC and as a long-time friend, on behalf of my party to wish Peter and Anne many years retirement as you sail off into the sunset.

Mr B. Rae: It is very hard for people who are not members of this place to understand the peculiar obligations all of us have to Peter Brannan and to the extraordinary staff that produce the Ontario Hansard. As bewildering and as outrageous as it may seem, Hansard reports almost every word that is spoken in this place.

They occasionally have to exercise some judicious judgement with respect to which comments will appear and which will not. I have noted that a couple of mine that I wished I had never said have appeared, and also a couple that I wished I had

never said have not appeared. I am always grateful for whatever kindness Hansard can bestow on me.

I think it is fair to say that Ontario's Hansard compares with any in the Commonwealth in its accuracy, in its fairness, in its completeness and in its integrity. The editor of Hansard can take no responsibility for the substance of Hansard; that alone is our responsibility. I know the Premier would like to take credit for virtually everything, but we are not going to allow him to do that on this occasion.

If I could just add a personal note, when I was first elected to Parliament I knew nothing about the intricacies of Hansard but I did learn from a master, and that was Stanley Knowles, who when I was first elected very much took me under his wing. He was determined that members should look carefully at what was said, should have a hard look at what turns up and what does not turn up, and should be helpful in terms of working with the Hansard reporters in making sure that the record, which is very much a personal record for members of what they have to say, is the record they want to stand by.

I can only say to Mr Brannan that his staff, to me and to members of my staff and members of our party, have been consistently courteous and thoroughly professional in a way that can only earn the respect and thanks of all of us. Of course, this is done with great good humour, with great tact and with great sensitivity and sensibility to those of us who, as I say, often wish we had not said the things we have said, only to find them reported back to us with terrifying objectivity. It is an experience all of us must go through and in fact is a useful lesson for all of us.

Peter Brannan goes with the thanks of all the members of this place. He has been a great and good servant of this House in the greatest tradition of Hansard, which we have taken from the British Parliament, and to him and to his dedicated staff we must continue to remember and to continue to reflect on our deep and abiding gratitude. Thank you, Peter.

Mr Sterling: it gives me great pleasure on behalf of our caucus to congratulate Peter on his retirement. I think the other two members of the Legislature have pointed out his background—he has a very interesting background—and also his most significant accomplishments over the past years as the chief of our Hansard reporting.

Although I have never heard a speech in this Legislature that was not an absolutely perfect example of correct English grammar, I know that Peter has assisted several members from time to time, on rare occasions, to interpret our verbal statements into print in a more improved form. On behalf of all those members, I want to thank you, Peter, for your patience and your interpretation. We really do appreciate it.

Peter, I know you have other interests in terms of sailing and travelling. You drive a very exciting sports car. We look with envy to your summer versus the kind of summer I might expect. I expect to be on my feet during the summer, walking from door to door, and would just love to join you in your pet MG. All the best in the future. Thanks very much for your help.

Mr Brandt: I recognize that this is a rather lengthy introduction to our normal day's business, but with the unanimous consent of the House, I would appreciate the Speaker giving me the opportunity to pay tribute to another retiring member, the member for Simcoe West.

Agreed to.

RESIGNATION OF MEMBER FOR SIMCOE WEST

Mr Brandt: The member for Simcoe West is someone who is known, I know, to every member of this House on a very personal basis. He was here in this House when I arrived back in 1981 and he quickly became known to me and to other members of our somewhat larger caucus during those days as Silent George.

The reason he acquired that particular name is that during those sometimes heated moments when there are perhaps differences of opinion, which occur in the various caucuses that are represented in this House—I am sure never in the government caucus because there is always sheeplike unanimity over there, but in our caucus occasionally we have legitimate differences of opinion with respect to some issues. I always look forward to the member for Simcoe West sitting back as he does, quietly, absorbing all of the various nuances and shadings of a particular question that may be before the caucus at that time and then offering, in so many cases that I can recall, a very sage and a very direct and a very appropriate opinion as to what the consensus should really be.

Silent George is someone for whom I have a great deal of respect. He knows that. I have indicated to him on more than one occasion that he is the personification, quite frankly, of the responsible politician, in my view. I say that because he is one of those individuals who, during the time I spent as leader of our party, never, ever turned down a request I made of him when I asked for his assistance.

He took over a rather onerous task that did not provide any particular limelight, as we all know, when I asked him if he would become the chairman of the question period committee. He did that and he performed exceedingly well, as he does with every responsibility that he has carried in this House through the many years he has served the people of Ontario.

The long list of cabinet portfolios covers virtually every facet of government. He has served responsibly and he has served well in each and every one of those. But the one that comes most quickly to mind, as I look back over the career of George McCague, is the chairmanship of Management Board, which is really the focal point of the spending habits of a government. I do not know of anyone who was tighter with a buck than George McCague was during the years I served in cabinet and tried to get some programs through that very, very capable individual.

But I can say he always chaired with an even hand, always chaired in a fair way and his decisions, again, were ones that when you reflected on them, were made in the best interests of all people.

This is a man who has not in any way, shape or form attempted to push himself forward as some politicians are perhaps inclined to do in an attempt to get a lot of publicity or a lot of recognition. He has worked quietly, but forcefully and effectively, behind the scenes.

As he retires and leaves this House, not only does he carry with him my affection and I know that of all of my caucus, but equally as important he carries with him our deepest respect as a member who has served to the best of his ability on behalf of his people and on behalf of this province. I salute him on this, perhaps his last day in the House, and I wish him nothing but the best in whatever the future may hold for him.

1420

Mr Laughren: I would like to say a few words about my friend George McCague. I would not call him Silent George; I

would be more apt to categorize him as Curious George, the way he approaches his job.

An hon member: How about Grumpy George?

Mr Laughren: No, he is not grumpy.

George might not even remember this, but when I was about 12 years old, I guess, my father was a farm labourer and I was sent off for a month or so—I do not know why they would want to have sent me off, but anyway—to visit another family that worked for a farmer, another farm labourer. I did not know where this place was or who the family was, but lo and behold, it was the J. J. E. McCague farm where I went and lived for a month or so. I only saw George from the distance as he helped his father oversee this incredible empire, the McCague empire.

I was elected here in 1971 and then George McCague arrived in 1975. I was not at all surprised to see him a member of the Progressive Conservative caucus. But I can tell members that I can remember also that when George McCague was in the cabinet, it was very difficult to ask George McCague a question. You would ask George a question loaded with scorn, invective and ridicule, and he would stand up and say, “Yes, I agree with you.” It is very difficult to come back with an appropriate supplementary after that.

I say that because George always did seem to have very little political gamesmanship in the way he conducted his business around here, either when he was in the cabinet or now, in opposition. He is a straight-out kind of person and we respected that very much. I think that is one of the reasons why members here today will universally be sad to see George leave, although that will not stop all of us from doing the best we can to make sure that riding is represented by someone who is not at all like George.

George, on behalf of our caucus, I wish to express my appreciation for just having you around since 1975 and being a friend.

Hon Mr Black: I am pleased to join with my colleagues in the other two parties to speak a few words as George McCague leaves this House. I have not had the opportunity to know George as long as most members have, but I can tell members that as a person who has a constituency close by his, we have had many opportunities over the past three years to attend functions together and to chat to each other as we worked together in this House.

I think I can say without fear of contradiction from any side of the House that George McCague leaves with the respect of all members of the House from all parties. He is a man who has done his job and done it well. He is a man who has earned our respect.

My colleague who sits in front of me turned to me just a minute ago and said the word “decent” probably describes George as well as any other word one could use, and I would echo that. George, on behalf of our party, we wish you well. We know that you have many long, fruitful days ahead of you. We know that you will enjoy them. I would simply say, finally, that probably the greatest measure of the respect with which people hold George McCague is that he was able to withstand the Liberal onslaught of 1987 and survive and we look forward now, with your departure, to a new face in Simcoe West.

Mr McCague: I thank all those who have spoken. I tried very hard and thought I was being successful in avoiding this. I thought I could slip quietly from this place and go on to whatever I was going to do next, but the member for Sarnia, given his penchant for talking, had to get up and say something.

The remarks from the member for Nickel Belt were very kind. I do not recall a whole lot about his days at our farm, but I have heard from others that he really works an awful lot harder here than he did in those days. He certainly did not get any of his training for this place at Glen Afton farm.

I agree with the member for Muskoka-Georgian Bay that there will be a new member for Simcoe West following the next election, but it will not be the one he wants. I did not particularly want this opportunity because it gives all parties a chance to stand up and tell a few lies, and not to reveal all the truth.

I think the most difficult time I had when I came here—advice I would like to pass on to others—was to gain a full appreciation of the job that everybody here has. There is an inclination if you are on the government side, where I started, to think that is a much more important position than the member for Beaches-Woodbine held in the second or third party—I just forget which at that time. But if everybody came in here with the idea that you have a real job to do, not only for your constituents but in governing the province of Ontario, you would be starting off on the right foot and it would make your job much, much easier.

It has been a great pleasure to have known all those who are here and the many who are not here now who were here during the past 15 years. Mr Speaker, I think you have even done reasonably well during all those years, and for that I congratulate you. We are not saying any words for you, Mr Speaker.

However, it has been a great experience with the people here, the members, the staff and the various caucuses and I do appreciate it. I was very appreciative this morning. The member for Sarnia mentioned about question period. This is a shirt I got this morning that says, “Question Period Chairman,” and of course the good message is on the other side, “Unquestionably the Best.” I cannot argue with that.

I must say to members that I am one of the people here who knows exactly what he will be doing following the next election.

VISITOR

The Speaker: Just before we continue with our next item of business, I would like to inform the House that we have a visitor in the lower west gallery, a member of the Czechoslovakian and Slovak Federal Republic, Jan Vidim.

TRUDY NIEZEN

Mr Poirier: As the government House leader is also receiving unanimous consent to honour three fine employees who are leaving us, I would like to take a few minutes to speak about Trudy Niezen, the person who has been responsible for over six years for the pages program.

I have gotten to know Trudy very well, because I have had the honourable pleasure to get involved and know the pages quite well in my function as Deputy Speaker. It is with sadness that we see Trudy leaving after over six years of being responsible for that program.

She started back in January 1979 as a tour guide with the parliamentary public relations. Then from October 1981 to February 1982 she was the acting supervisor of the public relations office. In August 1982 she was promoted to be senior tour and information guide, and then from February 1984 she has been the supervisor of the pages program. If we had to bring into the House all the pages who benefited from Trudy's supervision since February 1984, as members know, for those who have been here at least for the 34th Parliament, that means a lot of boys and girls from across Ontario.

1430

I have had a number of opportunities to sit down and discuss with her the pages program, and I have been able to see her profound involvement and deep interest in the pages program and her deep caring for the welfare of the pages who would come here for five weeks at a time when the House was sitting. Her devotion and her interest in the welfare of the pages has always been very superb to watch in action, always very capable, always very concerned and always very attentive.

I think all of us, or at least most of us who have had a page or two or three here in the House over the years, will appreciate all the work that Trudy did to make sure that our pages and all pages across Ontario were well taken care of, because to be the den mother of 24 kids at a time like this, especially when they are pages, is a most interesting challenge. Of course, we all know that, but we would be remiss not to say a huge thank you to Trudy for the excellence of her work. We wish her well in her new ventures and I am sure all members agree with me, with that tribute.

Mr D. S. Cooke: People watching this on TV today are going to get the impression that we are closing up shop for a while here, with all the people leaving.

On behalf of my party, I want to join with the Deputy Speaker and others in wishing Trudy well. I think the pages program in Ontario is an excellent program. Many students across the province have benefited from it. It is one of the things where the Legislature is not Toronto-focused. The entire province gets to enjoy the benefits of this particular program, and therefore those of us who are out of Toronto are particularly indebted to this program.

This Legislature may not always appear to run smoothly, but I think it is because of people like Trudy and others who work in your operation, Mr Speaker, that the Legislature does continue to operate in a smooth way. I think there are many members of the Legislature in particular who are indebted to Trudy, because many members have had their own youngsters come here as pages, and if she can manage them, she can manage any of the children in the pages program. So we are indebted to you and we wish you the best of luck in the future.

Mr Brandt: I too want to join with the other parties in paying tribute to Trudy for her service to the Legislative Assembly. She has had a very long and distinguished service in numbers of years here at Queen's Park, and I am sure she will leave behind many fond memories, at least hopefully many fond memories of this place and what has gone on here over the past number of years. She started out in January 1979 as a tour guide, then was promoted to the position of senior tour guide and ultimately to supervisor of pages, which position she has held for some seven years now.

I think perhaps the real test of the success of Trudy's approach to her job is the kind of response that you get from pages when they are serving on their last day in this House and you ask them how they feel about going back home and how they enjoyed their term while they were here at Queen's Park. Invariably the response is one that has grown, at least from the responses that I have been getting, quite predictable. They say that they enjoyed their time at Queen's Park and that they felt they had learned a great deal and that the kind of supervision and direction that they received from their boss, Trudy, was one for which they will have very fond memories.

There is no question whatever that Trudy is well loved by the pages, but there is also no question that she rules on occasion with an iron hand and knows how to make this place

work rather efficiently and effectively in terms of the responsibility of the pages.

Hon Mr Peterson: Why don't you make her caucus chairman over there?

Mr Brandt: The Premier suggests that I make Trudy caucus chairman, and I have to say that if it does not work out in terms of the future in the teaching profession, which is what I understand Trudy is going to be engaged in in the not-too-distant future, I would welcome Trudy into our caucus, as we welcome all talented people into our caucus, to join those talented people who are already here. We would wish her well in that endeavour, but I think her first alternative will probably be teaching. I know that is a love that Trudy has had for some time and it is a very similar kind of occupation and profession to what she has been able to provide here at Queen's Park. On behalf of the members of the Conservative caucus, we want to wish her every future success.

ALEX McFEDRIES

Hon Mr Ward: As I indicated when we sought this unanimous consent, we are honouring three long-standing members of this Legislature, and one will be a familiar face to all of us, that being the Clerk Assistant and Clerk of Journals, Alex McFedries, who now celebrates 25 years of service with the Ontario government.

Alex has been with the Ontario government since 15 March 1965. He has served as an honorary member of the American Society of Legislative Clerks and Secretaries and secretary-treasurer, vice-president and president of the Association of Clerks-at-the-Table in Canada, which proves there is an association for almost anything.

Outside of the Legislature, I understand he is an outstanding athlete. He plays oldtimers' soccer and hockey. He has been a friend to many of us and we wish him all the best on this, the occasion of his 25 years here.

Mr D. S. Cooke: As I look at some of the memberships that Alex holds, the Association of Clerks-at-the-Table in Canada—I do not know, Alex knows how to have a good time; there is no doubt about that. There are a number of other ones that I will not go into.

On behalf of our caucus, I want to express our appreciation to Alex. When his advice has been sought, sometimes when it has not been, it has always been offered and it has been done in a professional way. But more important than Alex's professional responsibilities has been the friendship that he has had with members of our caucus and members of our staff. It is much appreciated and I know there will be much more time, or I hope many more years of the opportunity to work with Alex. We appreciate you very much.

Mr Sterling: I too would like to congratulate Alex on 25 years of being here. Alex continues to learn. I understand Alex speaks French in a way that every Canadian can understand him. Alex is always ready, willing and able to help any member of the House. He also understands other endeavours. I understand he is a seven or eight handicapper in golf. I do not know where he gets the time to do that, but perhaps clerks do get a little bit more time than MPPs to undertake those kinds of activities. At any rate, I would like to thank him on behalf of our caucus, and on a personal note, I always enjoy having a clerk in the House that I can look down to.

Hon Mr Ward: One final unanimous consent, Mr Speaker, with regard to Canada Day.

The Speaker: Is there unanimous consent?

Agreed to.

Hon Mr Peterson: The mood in this House is so docile and kind and gentle and benign today, I am tempted to resign myself.

[Applause]

Hon Mr Peterson: You see, Mr Speaker, I know how to get life out of the opposition.

I join my colleagues—and I will not go into details—in paying tribute to those who have decided to leave. Why they have decided to leave at this time is absolutely beyond my comprehension, but I do wish them all well, and if there is anybody else who wants to leave, take the opportunity right now. We may be able to summon up a little charity in our hearts.

Mr D. S. Cooke: There are a lot of hands in the air.

Mr Brandt: Name names.

Hon Mr Peterson: Well, I could look around the chamber and try to be as constructive as I can.

1440

CANADA DAY FÊTE DU CANADA

Hon Mr Peterson: It is a fact that almost every day in this House we celebrate someone's national day. It is also a fact that our national day falls on a holiday and we are not here to celebrate that and talk about our own country on the particular day in question, that being next Sunday. I thought it was relevant today that perhaps we should take a moment, at this particularly sensitive time in our history, together, because I think all of us share the common views of our country, to make sure that we did not let our national day go by unnoticed in this Legislature, speaking as we do for all Ontarians in this House.

This has not been an easy time in the history of our country. It will probably not be easy in the next few years as well. But I do know that, at the same time that all members care passionately about this country, that commitment is going to be tested by many as we engage in a new kind of discussion in this country as we think through not only our relationships between our so-called two founding nations but our relationships with our first Canadians. We are being forced by dint of circumstances to go through, I think, a very thoughtful discussion. It will not culminate tomorrow; it will not be decided tomorrow. But at the root of that discussion for me will always be a deep and abiding faith in my country. It will be a great love for this country and a great and very strong desire not to pass on to our children, or my children, anything diminished from what we have today.

Many other countries around the world are going through similar kinds of discussions. It was particularly interesting to me to talk to some of my colleagues from Europe in the last week or so who have been wrestling with these problems over a long period of history. Spain, for example, has four different languages. Germany has worked with these problems with Bavaria and others in a similar kind of federal system.

So there are other answers to the problems that we face, but we have to make sure together that we think out those solutions in careful and thoughtful and hopefully kind and loving ways. There is a tremendous tendency to overreact, to blame someone else for the problems we are facing. That discussion, as far as I

am concerned, is over. Now we have got to talk about the future, and we have got to do that as thoughtfully as we possibly can.

This particular Canada Day, on Sunday next, I know most of my colleagues in the House will be participating in Canada Day celebrations in their own communities. I wish them well. There is also, as the members know, a provincial ceremony here at Queen's Park where we still have nickel hot dogs, and I expect thousands will gather here, as they will across the province.

I guess if you could ask me about my hopes for this Canada Day, I would hope that Ontarians would come out with a spontaneous display of affection, shall we say, for their great country. It is a fact of life that the things we do as individuals—and we have seen examples of that—can be very, very hurtful as the repercussions of those are read and interpreted across the country, just as acts of kindness, acts of generosity and acts of love for country, not just in individual cases but multiplied as well, can have positive and beneficial effects as well.

I am looking forward to celebrating Canada Day here at noon on Sunday next at Queen's Park. I look forward to sharing my great faith in this country with the people of Ontario who will be gathered on that particular occasion. I am very proud to be a Canadian, not just an Ontarian. We have to use the strength and the extra blessings, shall I say, that we have in this province to play a constructive role in the debate that will ensue, and I know that all of my colleagues would share most of the things that I have said now. I am very proud to commend this to my colleagues and invite their participation in the debate. It is time we said Happy Canada Day to ourselves and on behalf of all Canadians and Ontarians.

Mr B. Rae: There has never been a tradition in our country of sort of official patriotism. There has always been, I think, a sense among Canadians that there is no one way in which we must express our love for our country. The great thing about Canada is that it belongs to everybody. It belongs to those of us whose ancestors came across the Aleutian Islands, we are now told, some thousands and thousands of years ago. It belongs to those who came bravely and with great courage 300 or 400 years ago in the most difficult of circumstances. It belongs to those who came by plane, train and boat, who came in every way possible to this country, in so many different times and in so many different circumstances.

Looking around at my fellow members of this House, all of us come from very different backgrounds. We share many different experiences. Our parents and our grandparents have told us different stories of their first days in this country. They have told us stories from our earliest time as children of why they chose to come to Canada and of the kind of opportunity and the kind of marvellous chance that Canada and coming to this country gave to them.

Nous sommes arrivés, comme Canadiens, ayant choisi ce grand pays, tout le Canada en tant que notre foyer. Naturellement, nous pensons tous aux événements récents, aux réalités constitutionnelles, aux changements politiques survenus au pays, mais en même temps nous exprimons les choses que nous avons en commun, c'est-à-dire, que le Canada représente toujours et représentera à tout jamais à la fois un sens d'opportunité et de communauté.

As I say, I do not feel that it is my job particularly to convey one sense of what Canada means rather than another. I can remember as a kid I spent much of my time outside the country. My father was in the foreign service. When I was in the United States, we lived there for six years and everybody else was

pledging allegiance to the flag, which you had to do in school every morning. I did not pledge allegiance. I was given an exemption because they realized I was not a citizen of the United States.

We do not have an official way in which we express our love for our country. On the whole, I think that in a sense is a good thing, because it means in many different ways, simply by living in our communities and by fighting for the values which we have, that perhaps is the best way for us to express our love for our country, not by some sort of oppressive single vision of what the country is, but rather by allowing many different routes to the expressions of love of country, love of the land, love of tradition, love of values, love of family, love of friends, love of community, love of the world and the air around us and the people around us, which is really what the country is, what we as Canadians have made of the country.

I want to say to all my fellow Canadians, and not just to citizens of Ontario, because I think, above all, this is a time when we should not be thinking of ourselves as residents of one province or another, that we should be thinking of ourselves as Canadians and we should be expressing our sense as citizens of the world who see a country with a great opportunity, who see a country with a chance to learn so much from the traditions that we draw from and also to teach the world something of the importance of living together, something of the importance of sharing together and something of the importance of learning what it is we owe each other.

On Canada Day, I suspect many Canadians will be enjoying and participating in many festivities. Some Canadians will be working. Firefighters and nurses and others who are providing vital services will be working. I suspect many Canadians will be celebrating, as Canadians celebrate many events, privately and quietly reflecting on what this country has meant to them and to their families. This country is a great and good place. It is a great and good place that we share and are lucky to share, and all of us must do everything we can to see that this great land of ours continues to thrive and to grow and to share what it has with the rest of the world.

1450

Mrs Cunningham: It gives me a great deal of privilege to be able to speak on behalf of the Progressive Conservative caucus and constituents across the province of Ontario on the subject that is dear to our hearts and the celebration that is most important to citizens right across this country, especially this year, and that is Canada Day.

The celebrations of Canada Day allow all of us to take a moment to reflect on and to appreciate how fortunate we are to be the citizens of a nation whose very existence is predicated on a respect for diversity and a tolerance for dissent. It has been frequently said that our country represents the triumph of politics over geography, economics and, yes, sometimes common sense.

I fervently believe that as long as our politics are informed and guided by tolerance, then we will have the commitment, the energy, the imagination and the courage necessary to build a future for this country and for our children that will advance the common interests of all Canadians in securing for the next generation the peace, the prosperity and above all the unity we ourselves have enjoyed.

Canada Day this year will allow us to express our loyalty to the values which have enabled this unique federation to survive for more than 100 years and to dedicate ourselves to working to ensure that it survives 100 more. I know that right across this

province communities will cry out and celebrate for this nation. All of us in this House will be among our citizens, among the people we represent. We will set a good example, we will encourage their loyalty and we will all work hard as elected officials in whatever way we can to make certain that Canada remains strong, great and unified.

STATEMENT BY THE MINISTRY

CHILD CARE

GARDE D'ENFANTS

Hon Mr Beer: I would like to inform members today about further steps my ministry is taking to ensure that quality care is maintained in licensed child care centres throughout the province.

Licensing involves an annual inspection of each child care centre by program advisers from my ministry. They are responsible for ensuring that the centres are operated in compliance with the Day Nurseries Act.

The Day Nurseries Act Enforcement Practices Review, which was initiated by my ministry last year, has now been finalized. Today I would like to share with members the measures we are taking to support a stable and high-quality child care system.

J'aimerais aujourd'hui informer les députés des mesures que mon Ministère prend actuellement pour assurer que les garderies agréées de toute la province continuent d'offrir des services de qualité.

Pour chaque garderie agréée, détenir un permis signifie qu'elle doit se soumettre à une inspection annuelle de la part d'un des conseillers de mon Ministère, dont le mandat est de veiller à ce que les garderies soient exploitées conformément aux termes de la Loi sur les garderies.

L'examen des pratiques d'application de la Loi, que mon Ministère avait lancé l'an dernier, est maintenant terminé. Aujourd'hui, j'aimerais faire part aux députés des mesures que nous sommes en train de prendre pour assurer la stabilité et la qualité de nos services de garde d'enfants.

Over the past five years our child care system has grown rapidly to meet the needs of Ontario residents. Funding for child care in Ontario has increased from \$88 million in 1985 to \$396 million this year. In terms of licensed spaces, there has been a growth of approximately 55%, from 74,000 licensed spaces in March 1985 to about 115,000 spaces as of March this year.

Because of this tremendous growth, and because we are keenly aware that our children must receive safe, high-quality care, my ministry has made licensing enforcement a priority. Last November, I outlined in the Legislature the interim measures that were taken to ensure that all licensed child care operators comply with Ontario's child care regulations. These measures are now in place.

The final report of the review makes a number of short-term and long-term recommendations to further improve our licensing procedures. We anticipate that they will also improve the quality of licensed child care. The recommendations cover standardized training of ministry licensing staff, improved child care management and further development of policy and procedures for licensing.

We have set the stage for implementation of the recommendations. As a first step, we will be releasing the report today, making it available to ministry staff and to major child care organizations to study. In the fall, we will begin holding ad-

visory sessions with them so that they can help us design changes based on the report's recommendations.

We will start to make some changes immediately. The first priority will be given to those recommendations which improve compliance with the regulations. Other recommendations will require further work and development.

One thing that is very clear is that all staff need to receive specialized, ongoing training in a number of areas concerning licensing and enforcement. This training will enable them to communicate more effectively with centre operators, who will then have a clearer idea as to what is expected of them.

Additional recommendations will need to be integrated into new child care legislation. We will be reviewing the development of licensing expectations for specific programs. For example, different age groups have different needs. Therefore, we will be looking at provisions in the legislation that further the development of programs appropriate for various ages.

Maintaining quality in child care while keeping pace with the fast growth in the system is indeed a challenge, as I have said on numerous occasions in the past, but my ministry will be rising to that challenge by concentrating on our enforcement practices. We remain committed to those children and to those families who have placed their trust in licensed child care centres.

RESPONSES

CHILD CARE

Mr Allen: I am happy to respond to the minister's statement with regard to his tabling of the Day Nurseries Act Enforcement Practices Review report.

Two years ago, when there was a series of articles in the *Globe and Mail* outlining some of the major problems with regard to the quality of child care delivery in this province, there was a sense of alarm across the province in terms of the failure of the government at that time in enforcing quality measures or to provide other supports that made quality possible.

Just last year the Provincial Auditor again called our attention to some significant cases where, for example, long-standing provisional licences had gone on and on for years literally without any enforcement measures taken to regularize that situation.

While one is certainly happy to see the improvement of licensing mechanisms, the tightening up of regulations, the improvement of training for inspectors and a whole series of proposals with regard to bureaucratic changes in an in-office sense in order to tighten up supervision, one surely has to come back to the fundamental question, that the issue of quality in the child care system depends upon the overall financial support it gets and the consistency of policy development around that.

I can tell the minister, and he may even know, that within a five-minute walk of this place there is a child care centre with 115 children, at Jesse Ketchum school, which is going to be closing down in September because it has not got the funds available from the ministry to meet the Ontario Building Code requirements to keep the roof from leaking and some other building necessities. So what does one do about quality in that particular case?

One knows that two years ago the ministry changed its policy with regard to the allocation of child care spaces. Suddenly a whole range of development was taking place in Toronto, and people who were expecting to get support for their child care developments found themselves pinching pennies, pushed

to the wall budgetarily speaking, with odd mixes of space available and not available, subsidized and otherwise, that did not match up with need. The whole system was thrown into a quality problem as well as a supply problem.

1500

Again, one knows that across the province at the moment there are hundreds of child care centres, just from the point of view of monetary support, on the edge of bankruptcy. One knows also that quality depends upon adequate staff and the support that is given to them with adequate income. Yet we know very well that across this province there are literally thousands of graduates of early childhood education programs who have not been able to stay in their chosen profession because they have not been able to secure competitive incomes to enable them either to stay there with satisfaction or to meet satisfactorily the physical needs of their families. We know that at this point in time the wages in that sector are only 57% of the average industrial wage of this province, and yet these are people whom we asked to be trained and well trained and who deal with some of the youngest and most vulnerable members of our society.

We also know that this government has been unwilling to respond to the pay equity demands and needs of what is almost universally a female profession, unfortunately. It should not be only a female profession, but it is and there are no comparators. The government has been unwilling to find the comparator base which could exist in a community-wide base or in a social-service-wide base. Comparators could be found in similar professions where one could secure a pay equity comparator and yet the ministry has not done that.

There are a whole series of elements that play into the question of quality and quality enforcement, and they are not all simply in terms of bureaucratic enforcement. It is time that this government, after all this time, put that system on an adequate funding base and expanded it beyond the 12% that of the eligible child base it now serves and their parents, who often want child care so they can get out and be productive in the workforce.

The quality question is a large and complex question and this government is only tackling a very small corner of it. We hope it tackles that corner well, but there is an awful lot left to be done to deal with the quality question in child care satisfactorily in this province.

Mrs Cunningham: We are always looking for improvements when it comes to the quality of child care across the province for families and children. So as I talk about the response to this enforcement practices review report, I will first remind the minister that we were looking for a discussion paper during the 1988-89 fiscal year, which was the promise of the government in *New Directions*.

This report, which of course I just received a few moments ago, is long overdue. Certainly the field workers, the front-line workers whom I frequently refer to, whom we rely on to provide the quality of care, have been looking for this for a long time.

I was especially pleased to see that there is a specific section on the importance of training as we take a look at enforcement practices. It is something that has been overlooked in the past and something the government has recognized as being very important, after the input, of course, not only of parents but of professionals and care givers out in the field.

With regard to the short-term recommendations, there are standard requirements for licensing inspections, for example. I

believe, as I read this very briefly, the idea that the checklist should be revisited, so that the requirements would be there for some long period of time and standardized across the province, is an extremely important recommendation. We have asked for the clarified roles and responsibility of program advisers in their day-to-day work.

We welcome those short-term recommendations, but I would underline to the minister that we are just wondering what short-term recommendations really mean. I would encourage the minister to be more explicit as to the implementation of this report and would ask that the guidelines around the implementation be made available to all of us as quickly as possible.

If there is to be some discussion on this report, we would appreciate having the opportunity, certainly in our party, to speak to the minister with regard to some of the few controversial statements that I have seen so far. We in the Conservative Party will continue to monitor the progress of this government, and I think it is of paramount importance right across the province that we take a look at the real challenges in child care; that is, the need for more spaces, the need for direct operating grants, the need for programs such as the program at Jesse Ketchum school, that they be continued. There is a real need for us to take a look at the integration of services right across the ministries with regard not only to child care but programs for children as we take a look at the real challenge in the next decade; that is, poverty for young people in Ontario.

We commend the minister. We will have more to say when we have had an opportunity to look at this report in detail.

ORAL QUESTIONS

SOCIAL ASSISTANCE

Mr B. Rae: If I could have one of the pages for a moment, please—maybe it will take two—I want to present a petition. I am going to keep one of the cards so I can read it. If the pages could give that to the Premier—

The Speaker: I have not called for petitions.

Mr B. Rae: I just wanted to give it to the Premier, Mr Speaker; I asked that it be delivered to the Premier.

This petition has been drawn up on cards that have been sent in to the Premier from the Toronto association of student councils. It deals with, I think, a growing concern among young people everywhere. They find it difficult to understand why it would be that there are still so many people in the province who are going hungry and why hunger still represents such a painful reality for thousands of kids in Ontario today.

I would like to ask the Premier very directly how he feels about the fact that young students in the province feel that they have to petition his government in order to do something as basic as address the problem of hunger in the province today.

Hon Mr Peterson: The minister can inform my honourable friend of a great number of programs we are engaged in at the moment.

Hon Mr Beer: I think I would say to my honourable friend that no one in this Legislature or in this country can easily comprehend or understand or accept the existence of poverty in a land which, as we have been describing earlier today, is a great land and one in which we have so many resources and where we believe we should be able to ensure that poverty is not here. Yet it is.

I think it is fair to say that in the actions this government has taken over the last number of years, and particularly in the

last two years, we have been attempting to focus in a very concentrated way on dealing with some of the root causes of poverty. We have been doing that through looking at the particular situations facing single parents, facing children, facing those who are on social assistance. I think I made a commitment last fall, to a number of the groups and organizations that came to see me after I was named minister, that in the work I and this government did we would try increasingly to focus our attention in Canada on this issue of poverty.

I would like to tell the Leader of the Opposition that last week, at the meeting of social services ministers, we agreed that we are going to meet in the fall specifically on the issue of poverty. We have designated child poverty as a particular issue and used that as a prelude to meeting with the federal government—

The Speaker: Order.

Mr B. Rae: I do not think a member of the cabinet of R. B. Bennett would have said anything different from what the Minister of Community and Social Services has just said. R. B. Bennett's answer to the problem of poverty in the Depression of the 1930s was to say that we will have another meeting. The minister's answer to this problem is to say we will have another meeting.

Even Gerard Kennedy from the Daily Bread Food Bank in Toronto, who on occasion has had some positive things to say about the Liberal government, is now having to admit, and has said in the newspapers today, that the food bank is having to turn people away, that it is having to ration food which it is giving out to hungry people, that the demand for food is way, way ahead of what it can do and that in fact many food banks are completely incapable of responding to the level of demand.

While the minister talks about having another meeting, his government has cut off the emergency program for food for a great many of these centres. How does the minister square his commitment to dealing with this problem with his government cutting off that kind of necessary funding to these programs?

1510

Hon Mr Beer: I think the honourable member needs to know that in dealing with this particular problem, there are many ways we have gone about attacking it. In the first instance, the kinds of changes that were brought in by my predecessor last year in terms of changes to the basic rates for those on social assistance, for increasing funding for children and for improving the work programs for those on social assistance who would like to get off and increase their weekly earnings, all of those things have started in terms of our response to the social assistance review. The honourable member knows we are continuing with that and we have seen some very positive impacts.

That being said, we recognize and we have said very clearly that there is much more that needs to be done. Part of that is that we have to see this problem as not being one that is solely within Ontario. We need a national approach. As the provincial ministers met, we recognized that indeed there were throughout this country aspects of the overall economic situation where we all collectively had to do a better job and we would be able to do that better if we worked together and if we included the federal government.

I do not for one moment suggest there are not things that we cannot do or that we have not done. We are doing those, but we are moving on to the next phase, which is to do it and take it on as a—

The Speaker: Thank you. Order. Final supplementary.

Mr B. Rae: The minister plays Waiting for Brian and there are people in this province who are going hungry; it is especially notable and offensive among young people.

I would like to ask the minister why he has not worked with the schools, with the entire school system in this province, to identify those kids who are hungry at school, whose whole performance at school is being devastated because they are not getting the food, nutrition and basic standard of living that they need.

Why has the minister not said to the people of the province, "We will mobilize all of our efforts, we will mobilize with the schools and we will build a partnership of which Ontario can be proud"? He should not wait for Brian. People who have been waiting for Brian have suffered long enough. Why does the minister not do something and work with the school boards to make sure that at the very least we do not have hungry kids in our schools?

Hon Mr Beer: If the honourable member would care to talk with a number of the boards he would learn in point of fact that we have been increasingly working much more closely not only with school boards and the Ministry of Education but also with the Ministry of Health. As the member knows, the whole Better Beginnings, Better Futures program has come out particularly from that working together, where we are identifying precisely those young people, those children who are at risk, and moving the resources in to help them.

I think we all recognize when we are discussing poverty that the issue of child poverty is the one that is of most direct and immediate concern, and I would say to the honourable member on the last day of this session that this government is approaching that as a priority and we are going to be working with all of those who are involved.

I simply make the point that when we are dealing with a national problem, we have to demand and expect that the federal government will also be at that table. If Brian will not do it, then perhaps we have to have Jean there to do it. But we are going to work together to make sure that we attack this problem.

Mr B. Rae: Who is the minister going to blame if he gets him?

EMPLOYMENT ADJUSTMENT

Mr B. Rae: I have a new question for the Premier. Among the realities of life now in the province, which the government has not been prepared to admit, is the fact that our manufacturing sector is in a recession. If we look at the job loss in the last five months, in absolute terms we have lost over 20,000 jobs in manufacturing. As a province, we are on the edge of a general recession, but when it comes to manufacturing jobs, which are well-paying jobs, we are already in that recession.

Where are all the programs that the Premier and his government have been talking about for the last several years that would allow workers to begin to cope with the size and the extent of this change?

Hon Mr Peterson: There are a number of programs going on in the government that I am sure my honourable colleague is aware of. If he is not, he should be aware of them, from a number of different points of view.

As the members know, there are dramatic changes going on in the industrial base in this country and in other industrial bases across the world. It is not static, the way one would

perhaps like. There is a lot of rationalization going on at the present time; there always has been. There is no question it has been accelerated by the free trade agreement, and I am one of those who regret that very much.

But I can tell my honourable friend that a number of programs have been put in place to assist businesses in retooling, building and reinvesting in capital to modernize in this new globalized and competitive world. We have been working very hard to extend our trading relationships to a variety of places around the world.

There have been major new investments in research and technology as well as in the questions of manpower and working with the workforce. What we need is a flexible and trained workforce, as my colleague knows, and we have been working in all of those areas.

Mr B. Rae: First of all, I did not hear any programs. I heard a lot of talk about what the government is doing for companies and how much money it is giving to them. We can document how much money it has given to companies. In fact, sometimes it has robbed jobs out of Windsor and put them into Milton, or it has given \$20 million to Magna International Inc.

It has now created a corporate climate where companies are not prepared to invest in the province unless the government is prepared to kick in \$5 million, \$10 million, \$15 million or \$20 million. There has not been a major investment of any kind that has taken place in the province unless the government has been prepared to put up taxpayers' dollars.

Workers are asking very directly what is happening to them. My colleague the member for Windsor-Riverside has pointed out that 3,000 industrial jobs have been lost in Windsor over the past year—3,000 jobs. Those are well-paying jobs and that is what workers are looking for.

The Premier talks about flexibility. If his definition of flexibility is forcing workers to go from making \$12 an hour to \$7 or \$7.50 an hour with no pension, no benefits, then that is not flexibility; that is oppression for those workers.

I want to ask the Premier again, where are the programs for people? We know where the programs for business are. They are right in his government. Where are the programs for people?

Hon Mr Peterson: My honourable friend is seized in this class warfare mentality typical of socialists, and that is one of the reasons why I say he is not going anywhere; he does not understand the relationships between the two. We have been working co-operatively with labour and business. My honourable friend is aware of the Transitions program, POWA, the program for older worker adjustment, the help centres and a variety of other things.

My honourable friend likes to stand in this House and say we are on the brink of a recession or a depression. It sort of appeals to him in some way, it seems to me. But let me say to my honourable friend he is quite wrong about that. Job creation is still positive. There is obviously not the same growth rate there was a year or two or three ago, but it is still positive growth and still positive employment growth.

Mr B. Rae: A government which has done as much for the insurance industry, for Tridel Corp and the development industry, and for big business in this province does not need any lessons from the New Democratic Party in class politics. The Premier knows what class politics are. He has been practising and playing them ever since he got into power in 1987. That is what he has been doing.

What is not in place is a program that brings the classes and the people of this province together. You have people lining up

for food banks at the same time as you have large corporations which are not paying a nickel in taxation. That is the reality of the province that the Premier is presiding over.

I want to repeat and ask the Premier again: Where are the programs for people, the changes, the amendments to the laws in terms of apprenticeship, the Employment Standards Act, the Labour Relations Act, the laws which we are willing to deal with in this House that will finally give the working people of this province some ability to control the changes that are happening to them right now?

Hon Mr Peterson: I am tempted to say, if the member accuses me of practising class politics, that the opposite would be true in his case. He practises no-class politics. But I will not say that because it is too obvious; it is far too obvious in the circumstances.

My honourable friend does not understand some of the discussions that have been going on in this province, working, co-operating with labour with respect to job training. Now that may not be with the NDP, but with some of the enlightened leadership in the labour communities along with business leaders. I have told my honourable friend about some of those programs that are being developed. I gave him a list in response to his second supplementary about some of the programs that are ongoing in this province.

We believe that the best job security is a trained and flexible workforce, and that is the approach we are coming with. We are approaching from the point of view that the labour leadership as well as the corporations have a great responsibility in this regard and we are working very closely with them to achieve those objectives.

1520

AUTOMOBILE INSURANCE

Mr Brandt: I would like to ask the Minister of Financial Institutions if the no-fault insurance package that he brought forward is as adequate and comprehensive as he has indicated in this House that it is. Why is it that a number of brokers are now writing to their clients indicating that it is virtually necessary for them to have additional, supplementary coverage at substantial additional cost in order for them to have an adequate insurance program? Why would that be the case after the minister has shared numbers with us relative to increases and a whole host of studies and projections, all of which are now out of whack based on what the reality is in the real world in the marketplace?

Hon Mr Elston: I think the reason people are writing to bring to the attention of individuals that they should assess their individual needs under the no-fault plan is that it is a new plan. Each person should take a look at his or her particular circumstances to see whether the combination of auto insurance, disability coverage and whatever is adequate protection in the case of an accident. That is a good question to ask. Everybody must take a good look at his own personal circumstances to be assured that he has the coverage he needs. I think it is a reasonable question, and people can decide that in fact it does cover their reasonable needs, but it does not mean the question ought not to be asked.

Mr Brandt: I am glad that the minister approves of the question, because I have a supplementary. I hope he approves as well of the supplementary that I am going to ask. I might get an answer on this supplementary, hopefully.

One broker in particular has indicated that the clients should check off whether they require \$750, \$900 or \$1,050 a week, whether death benefits should be increased from \$25,000 to \$50,000 and funeral benefits from \$3,000 to \$7,500. But here is the part that I think the minister will find of particular interest; I quote directly from the letter: "If you have not returned the form by 12 July 1990, we will assume that you require the maximum coverage and shall bill you the additional premiums." If they do not hear from the client, they are going to assume that the minister's program is totally inadequate. Does the minister think that is right? In fact, is that ethical business practice?

Hon Mr Elston: The honourable gentleman is right to raise the question with me, but he knows that an individual business person will write the type of letter that he thinks will bring to the attention of his clients the necessity of replying to the questions. It may be that the person does not require any optional coverages whatsoever, but the person must assess on his own circumstances the fact of the optional coverages that are available and whether he needs them.

Now this particular person is obviously going to get a response very quickly. Obviously, someone has brought this letter to the member's attention, which means that everybody's interest was in fact heightened, I guess would be the way to put it. But in the circumstances, the optional benefits are available for people who need them. They do not have to take them. A simple reply to that individual broker by the client who received that letter is, if he does not need them, "I don't want them. Don't bill me."

Mr Brandt: This is the minister who stood in this House and indicated that 8% increases in urban areas would probably be the benchmark, zero average in rural areas. There would be an adequate insurance package that would be brought forward. Now we have the people in the industry who are saying directly to the minister, through a letter that I will share with him, that his package is totally inadequate. The only way—

Hon Mr Elston: That is not right.

Mr Brandt: That is in fact exactly what they are saying. They are indicating to their clients that if they do not write back and say, "No, we don't want this whole list of additional coverage," then they are going to assume automatically that it should be added to their policy and their premium will go up accordingly.

The fact of the matter is that the minister has no idea what his package is going to cost. If you will allow me, Mr Speaker—

The Speaker: To ask your question, sure.

Mr Brandt: My question is, after I finish my preamble, has the minister any reason whatever to believe that the industry he has defended virtually daily in this House is going to be able to bring in anything close to an adequate package of coverage with an 8% increase when, by the way, this government promised that the premiums would go down, not be increased not only are they being increased, but they are being increased—

The Speaker: Thank you. Order.

Mr Brandt: The minister ought to be embarrassed.

The Speaker: Are you embarrassed, Minister?

Hon Mr Elston: I am not embarrassed. I have undertaken extensive discussions with the gentleman who just spoke to me

from time to time on various matters of public policy and I have always admired his business acumen. But in this particular display he has indicated that he has forgotten his roots. He has indicated for a number of years—in fact, when we knew him better as Interim Andy, he chose to talk to the people in the province as though he were the business personification in Ontario.

Now he brings forth a letter which was designed to bring to the attention of an individual client or a series of clients, through a business broker's organization, to highlight the need to make a decision, a judgement on whether or not optional coverages are necessary. Those people in fact will reply, I am sure, because they have brought the letter to the attention of the honourable member for Sarnia, that they do not need them.

Let me tell the House this. This particular gentleman is doing nothing more than highlighting one of the benefits of the package which is a mandated optional package of coverages, but those coverages do not have to be picked up. Since this gentleman has highlighted it for the benefit of the folks in the province, they will be quite aware that they should get back right away to the brokers. In fact, if some people feel they are not being dealt with fairly, they can go further; they can go to the insurance commissioner and he will look into the circumstances of that type of activity.

CHILD AND FAMILY SERVICES

Mrs Cunningham: My question is to the Premier. Last Friday in London I met with a number of groups, Family and Children's Services of London and Middlesex County, Madame Vanier Children's Services and Merrymount Children's Centre, and they expressed to me their great concern about the need for co-ordination of children's programs, especially for the number of children who have been referred to their agencies and are on waiting lists for treatment.

The summer is coming, the Premier's government has not responded and this has been an issue for nine months. My question is, what can I take back to the citizens in London and to the families in London and specifically to those agencies in response to this crisis situation for treatment?

Hon Mr Peterson: I refer the question to the minister.

Hon Mr Beer: I think the honourable member can take a good deal back, in that the various organizations representing those she met with in London, the provincial organizations, have been meeting with me and with staff in the ministry to look specifically at a number of issues around funding, co-ordination and the better management of that whole system, and we are attacking, I think, a number of the critical issues including, as the honourable member knows, the issue of the waiting list.

The particular individual who has been working from my office over the last several months very shortly will be bringing in recommendations around the issue of waiting lists, and I think we are going to be able to help specifically in that area. But we have been improving in terms of the base budgets of these agencies and attacking the problem of front-line staff salaries. There is a great deal that is going on, and I think as this year progresses we are going to see some very positive changes in that area.

1530

Mrs Cunningham: We were waiting for the Maloney report to be released this month. It is the last day and it is not here.

"Depressed, suicidal, sexually aggressive. Adult words usually, but also labels used to describe London and area children with emotional and behavioural problems who need professional help now, but are being detoured instead to growing waiting lists."

That appeared in the London Free Press. It is real.

What am I going to tell the parents of these children about programs that will be made available to them now, especially for those who are in the most urgent of need?

Hon Mr Beer: I have said, again with respect to specific cases, that we do have through my area offices special working groups, committees, that are set up to deal with those individuals who are most at risk. What I would tell my honourable friend to say to families who have come to her is to direct them to the area office. We will ensure that those young people receive the kind of assistance that they require.

Clearly one of the issues here is determining exactly who requires the kind of help and from what agency, but we have made a commitment to try to deal with those who are most at risk. I would ask that the member do that.

Mrs Cunningham: We are very much aware that the minister has appointed someone to review the waiting lists. We have been very patient and were promised to get the Maloney report this June, which may have stated, as the minister said, that there would be some response to what we are going to do about it.

The person who is doing the waiting lists is looking at the ministry's internal mechanisms—boy, do we get sick of that phrase "internal mechanisms"—rather than dealing with the children. The summer is coming. No one is going to pay any attention to us who represent the public in London, including the Premier, who says, "We're waiting for the recommendations of...we're waiting for the meetings of..." What shall we tell the public this summer about specific programs that will be put up to deal with these emergency cases?

Hon Mr Beer: Let me repeat again, we have been doing specific things. We are not waiting for reports. We are expecting from several reports more assistance in ensuring that we can provide the services that are required, but we have already moved to increase front-line salaries, we have already moved to increase the base budgets of agencies and we have already said that committees are in place. If there are young people who are at risk, then I want to know about it through the committees we have set up through the area offices so we can ensure they get the kind of service that they require.

That is in place; that will go forward. I cannot say to the honourable member that every single child in this province will receive immediate care at the time the child arrives at the door. I wish I could, but that is not the kind of promise I could make at this point and keep. But I can tell the honourable member that what we are focusing on are those most at risk and trying to ensure that they will get the care, the service, the treatment that they require. That is what I would suggest to the honourable member that she say to the families with whom she has been working, to make contact with our area office and we will do our utmost to see that they get the service they require.

TIRE TAX

Mrs Grier: My question is for the Premier, who I am sure is well aware of the fact that we have a garbage crisis in Metropolitan Toronto as our landfill sites fill up and as communities across the province say they do not want Metro's garbage.

Knowing the extent of that crisis, I was very surprised to learn today that since January, the Keele Valley landfill site has landfilled over 1,000 tons of scrap tires. We have in this province a tire tax which is generating \$45 million a year for the government and which was supposed to tell us how to recycle and environmentally dispose of used tires. Can the Premier explain how he can possibly be using the last remaining landfill capacity in Metropolitan Toronto for used tires, while at the same time his government is amassing millions of dollars from a used tire tax?

Hon Mr Peterson: I cannot speak with any authority on what goes into the landfills, whether it is there or not. I have to take my honourable colleague's word at face value that this is happening. Obviously, as my honourable friend knows, there are a number of programs under way with respect to the recycling and reuse of tires. My honourable friend is aware of that program; it was announced in the House. If someone is not taking advantage of that, she may have some information that I am not aware of.

Mrs Grier: We do not expect the Premier to take responsibility for everything that is landfilled. I do, however, expect him to take responsibility for the abysmal failure of the programs of his government.

I want to tell the Premier that, since January, the number of tires received at the Keele Valley landfill site has increased; the number of tires being landfilled has increased and the number of tires being recycled has decreased. Does the minister agree with me that this represents an abject failure on the part of his government to deal with the problem that it acknowledged was a problem, that it raised a special tax to deal with the problem over a year ago and that it has absolutely failed to solve?

Hon Mr Peterson: I cannot speak to the numbers with any authority. As my honourable friend knows, there are a number of very creative programs under way at the present time to recycle and reuse tires, and other programs. I am sure my honourable friend is aware of that. We never promised instant results, but I think my friend can continue to have great confidence in the environmental policies of this government, which will advance the knowledge in this area and lead to real solutions.

Mr Jackson: I guess speaking without authority is becoming a theme for the Premier.

FOOD BANKS

Mr Jackson: I have a question of the Premier. This summer the Premier will be undertaking, at least in his mind, I would imagine, what he refers to as meaningful political campaigning as he attends a series of premature pre-election Liberal barbecues. One member of the press gallery referred to it sort of tongue in cheek as David's "Be Happy Don't Worry" Summer Tour '90. In so doing, it is presumable that the Premier will be talking to many of Ontario's citizens and that he will be listening to them, as he predictably does on the eve of an election. Has the Premier personally requested that his busy barbecue circuit schedule be adjusted so he can attend at least one meeting of at least one of Ontario's 110 food banks this summer?

Hon Mr Peterson: I have met with a number. I met with Mr Kennedy not too long ago and I have chatted about some of the problems. I am very happy responding to invitations that I am invited to if I can work them into my schedule.

Mr Jackson: As the Premier is undoubtedly aware, over 80,000 people each month here in Toronto are relying on food

banks, and yesterday the Liberal member for Kitchener rose in the House to table a petition that was condemning the government for its cutbacks to food banks at this critical time when rental costs are out of control and when people in this province are denying food to their mouths in order to ensure a roof over their heads. The Toronto Star this morning carries a headline, "Food Banks Forced to Ration, 'People with Dignity' Going Hungry as Donations Fall Short."

As the Premier attends his barbecues this summer to announce how well-off Ontario residents are, will he be willing to meet face to face with residents of this province, numbering now over 200,000, who are going without food, who are hungry and who are losing that sense of dignity? Is he prepared to meet with these people this summer?

Hon Mr Peterson: I meet regularly with people from all walks of life in this province. I have done it for the last 15 years and I will continue to do that. One tries to develop programs on the basis of those very human experiences that we all have. We have never argued perfection in this government, but I will tell the member what we have said. It is such a profound change from the hypocrisy of the former government, and I think people understand that. We do not claim perfection, but they can tell the genuine article from someone who comes along laterally, and I am very happy to share our successes and our failures with the people of the province.

1540

GREATER TORONTO AREA

Mr Faubert: My question is of the Minister of Municipal Affairs. On Monday the minister announced a strategy to move ahead with managing the matter of promoting and encouraging co-ordinated planning between and among all regional and local municipal governments in the greater Toronto area. Such issues as directing growth, transportation, social services and infrastructure planning and how they are dealt with will be extremely important across the next decade. As a former member of the Scarborough and Metropolitan Toronto councils, I applaud this recognition of the need for such collaborative planning in the whole of the greater Toronto area. Can the minister outline the objectives and expectations of this recent initiative?

Hon Mr Sweeney: The honourable member is representative of about 400 people who met on Monday, comprising councillors from 35 municipal governments across the greater Toronto area. They were coming to a point in the greater Toronto co-ordinating discussion whereby we had some proposals to lay before them for options and alternatives as to the direction in which we wanted this area to grow. We clearly had reached a consensus already that we could expect a population growth in the greater Toronto area of somewhere in the neighbourhood of about two million people, going from four million to six million over the next 25 years, approximately.

The main questions were, where were they going to live? Where were they going to work? How would they get from one place to the other? We realize that the location of roads, the location of water pipelines would be determining factors in those kinds of questions; therefore, the purpose of the greater Toronto co-ordinating committee, which was set up by the Premier back in 1987, was to bring together those 35 municipal councils and the people living in those 35 municipalities to reach a sense of consensus as to what was the best direction for the next 10, 15, 20 years and what kind of land use we want to entertain over that period of time.

Mr Faubert: I am certainly pleased that the province is playing this leadership role in co-ordinating and facilitating better planning among regional and local municipal councils in the GTA. However, since planning has always been a local responsibility, some municipal leaders have expressed concern that the greater Toronto co-ordinating committee's activities may be foreshadowing the creation of some kind of GTA political structure. Can the minister assure this House that such plans are not under consideration?

Hon Mr Sweeney: When speaking to the 400 councillors last Monday, I made it very clear on behalf of this government that the GTA is not and will not become another level of government. It is precisely as it speaks: It is a co-ordinating committee. It is a co-operative and a joint planning committee. It is a visionary committee. It is an attempt for all of us to get together and to work together, realizing that none of those 35 municipalities and none of those five regions can any longer do things that do not impact on the others.

The location of a new subdivision affects the transit congestion. The location of a road, the location of a pipeline impacts on the future of all the people in the region. I was very impressed and very pleased that all of those municipal councillors were willing to see that in a visionary way, to see the necessity for them to work together, but they clearly appreciate that their individual municipalities will retain their jurisdiction and that the GTA will not be another level of government.

NUCLEAR POWER

Mr Charlton: I have a question for the Premier, who will no doubt be aware that last October the Atomic Energy Control Board made a submission to the Treasury Board of Canada. The submission was designed to document for the Treasury Board why the AECB needed additional funds in order to adequately perform its role as regulator of the nuclear industry in Canada. That submission said AECB's review of safety has also been too simplistic. As a result, there is a legacy of unresolved safety issues that should be addressed further. This issue is particularly important as 12 of Canada's largest reactors are close to Toronto. That refers to the eight reactors at Pickering and the four at Darlington.

Have the Premier and his government been in touch with the AECB to identify what that legacy of unresolved safety issues specifically refers to, and will the Premier assure this House that the Environmental Assessment Board panel hearing Hydro's plan review will be apprised of the facts of outstanding safety issues with existing reactors?

Hon Mr Peterson: First of all, I do not follow crown agency submissions to the Treasury Board in Ottawa, and I am sure my honourable friend does not really expect that I would. Second, the member can be absolutely confident that the board will listen to virtually everybody, and if he has any ideas of information that he thinks should be presented at that hearing, he should please take them to it.

Mr Charlton: The document I am talking about was very difficult to receive because the Atomic Energy Control Board has not released it publicly and the Premier, through Ontario Hydro, has access to all documentation that the AECB has in reference to Ontario Hydro. So the government certainly has access to this documentation which, I might add, says:

"Years of successful accident-free operation, which are the hallmark of the Canadian nuclear program, are not by themselves proof of adequate safety. Canada has amassed about 170 years of operation of large reactors, compared with 480 years in

the United States and 270 years in the USSR at the time of Three Mile Island and Chernobyl, respectively. The likelihood of serious accidents cannot be judged from statistics such as these, and Candu plants cannot be said to be either more or less safe than other types."

This information calls into serious question everything that Ontario Hydro has told us about the Candu reactors that it operates and, as well, the nuclear safety review which this government did two years ago. Will the Premier assure this House that this whole matter will be looked into in relation to the Minister of Energy's responsibility for Ontario Hydro?

Hon Mr Peterson: Yes.

TEACHERS' SUPERANNUATION

Mr Jackson: I have another question for the Premier. In September 1988 this government invited the Ontario Teachers' Federation to negotiate a new pension deal that would allow teachers and the government equal and full partnership. Despite these promises, negotiations broke down on the issue of unilateral binding arbitration by this government. Teachers felt this was a necessary feature of joint plan management, but the Liberals refused to accept this mechanism for equitable dispute resolution.

Last December the government slammed the door on teachers; yet six months later this is the first province to throw the door open and give binding arbitration to crown attorneys and other government lawyers. What has changed the mind of this government in six months?

Hon Mr Peterson: They are not related at all.

Mr Jackson: Did you hear what he said, Mr Speaker? I did not even hear what he said.

Hon Mr Sweeney: Listen.

Mr Jackson: I was trying to listen. No one has changed his mind? Was that the answer? Very good.

Ontario is the only government in Canada that is giving binding arbitration to government lawyers, and yet Ontario has not taken a similar lead when it comes to teachers. Alberta, Saskatchewan and Manitoba have developed and offered binding arbitration models for their professional teachers. Why is it that this Liberal government's policy on binding arbitration is so selective, contradictory and discriminatory?

Hon Mr Peterson: It is not, and they are not related, as I said.

RAPE CRISIS CENTRES

Mr D. R. Cooke: My question is to the Solicitor General. Recently I received a copy of a letter sent to the Solicitor General by the Sexual Assault Support Centre of Ottawa. In it, they question why the K-W Sexual Assault Counselling Centre seems to have been shut out of the \$28.8-million initiative to support sexual assault and rape crisis centres.

The Kitchener-Waterloo sexual assault support centre opened its doors in October 1989 and in just a few short months, without the benefit of any formal advertising program, it has had 400 requests for its services, so this is obviously a much-needed service.

I understand that they are relying virtually entirely on private donations, but I also understand that this week they faxed to the Solicitor General an inquiry about the possibility of funding for support for their valuable work. I would like to add my endorsement to that.

The question is, can the minister indicate if he has received the application for funding and, if so, what is the status of it?

Hon Mr Offer: Let me first indicate that the information the honourable member has indicated is information which certainly we have received at the ministry. We have responded back to the centre, indicating that what is required is a formal application. It is important to note that the province of Ontario currently funds 20 rape crisis centres. That particular centre is not one that currently is in receipt of the so-called core funding. However, we have indicated to that centre that we would be pleased to receive an application. Upon receipt of that application, we would forward it on to the Minister without Portfolio responsible for women's issues for assessment and potential acceptance.

1550

Mr D. R. Cooke: That is an encouraging answer. These matters are obviously of great concern to a great number of people. I wonder if the Solicitor General can indicate what initiatives are available in his ministry to assist organizations such as the Kitchener-Waterloo sexual assault centre?

Hon Mr Offer: I think it is important to recognize, as I earlier indicated, that there are currently 20 rape crisis centres that are funded by the province at this point in time. It is important to note that the total funding for those centres a year ago was \$600,000. On the basis of demonstrated need, identifying issues that have to be addressed, this government recently increased the funding for those centres from \$600,000 to \$1.8 million, which is a threefold increase.

In addition to that, we are involved in a series of ongoing consultations across the province dealing with matters of mutual concern, where we enlist the help of those members who run rape crisis centres so that we can better, more effectively and more comprehensively meet the needs of those who so badly need those needs to be met. We are working in co-ordination and in consultation through an interministerial committee, which as I indicated earlier is headed by the minister for women's issues, and we are going to continue to do that.

These are issues which are ongoing, which evolve. This government has addressed this recently through a threefold increase in funding. We intend to continue not only to identify those issues which are to be addressed but to act on them.

LABOUR DISPUTE

Mr Mackenzie: I have a question of the Minister of Labour. The minister will be aware of the strike by employees of Jaeger Canada Equipment in St Thomas who are members of the International Association of Machinists and Aerospace Workers, Local 2729. These employees have been giving concessions since 1982 because of the financial situation of the company, concessions which have included the loss of their dental plan, the loss of their COLA or cost of living allowance clause, the loss of two yearly holidays and settlements of far less than the cost of living for an average of 3%. They have been without a contract now for six months.

This good-faith bargaining has now brought them strikebreaking scabs after their jobs, months without a contract, violence against the strikers and company efforts to break the strike by attempting to obtain an injunction. Can the Minister of Labour tell us if this is the kind of union-management relations we are heading for in Ontario?

Hon Mr Phillips: I would repeat what I think I said in the House before, that I think in the province we actually have been

blessed with good labour relations. One of the criteria I use is resolution of collective bargaining that has been reached without any kind of dispute; I think the number of person-years lost through industrial disputes is at about half the level it was in the first half of this decade.

I think our union leadership and our corporate leadership have shown a strong commitment to bargaining in good faith. I think to take one case and generalize would be wrong. If we look at the facts, we have been fortunate in this province, because of responsible leadership on both sides, to have a climate of good industrial relations. When we run into a situation where we have one that may be, I hope, an anomaly, we do have measures so that both parties can seek redress—the Ontario Labour Relations Board. If it is bargaining in bad faith, I would suggest they make an application to that board.

Mr Mackenzie: I hope the minister is right and that we are not on the edge of some serious problems in bargaining, as I think he knows is a fear of a lot of people.

At least 23 scabs are currently doing the jobs of the workers in this plant who are involved in a legal strike situation. Two pickets have been injured and charges laid against management. The company is seeking an injunction currently. The company sneaked off to the Ramada Inn in London to hire these strikebreakers.

Can the minister tell us if he as Minister of Labour supports this kind of corporate labour relations? If what he is telling us is that he does not, is he prepared to bring in legislation that prevents such blatant strikebreaking activities in legal strike situations such as Quebec now has?

Hon Mr Phillips: I believe we will continue to have a climate of good industrial relations in the province. That does not mean, particularly as we seem to be having somewhat more difficult economic times right now, that there will not be some difficult negotiations. I do not mean to suggest they will not occur, but in terms of a climate of professional industrial relations, I think that will continue.

I repeat what I said earlier. There are measures available to either side. If either side is not bargaining in good faith there is our labour relations board, and if for any reason either side is not acting within the law, our police organizations also can be called in. I would hope both parties would recognize that they have legal redress for legitimate grievances they choose to bring.

I repeat that it is my hope that because of the responsible leadership on both sides, we will continue to have that climate of good industrial relations. We are, frankly, a bit of a model in North America, on both sides. I do not suggest for a minute that we may not have difficult times over the next few months, because we are looking at some significant collective bargaining that will be going on, but I have confidence in the leadership of both sides that they will work their way through it.

AFFORDABLE HOUSING

Mr Brandt: My question is for the Minister of Housing. I want to bring to his attention that on Monday, Toronto city council voted to ask both the provincial and federal governments to look into the methods being used at the present time to select tenants for co-op housing units.

Toronto city council has asked specifically that both levels of government responsible for funding this program look at upper-income levels or caps, as we have discussed in this House. They have also asked that such questions as the issue of single individuals living in two-bedroom apartments be

reviewed. On 15 June the federal minister of housing indicated he is prepared to take a look at these programs and perhaps make some observations with respect to changes that may seem appropriate.

I have discussed this with the minister in this House on many occasions. He knows my feelings, which are very strong, about some who are taking advantage of government programs that are subsidized at the expense of other citizens who are not able to be admitted into affordable housing.

I ask the minister if he is prepared to join with the federal government, and the minister of housing specifically, in order to review these programs and the areas of concern I have raised with him.

Hon Mr Sweeney: The honourable member is probably aware of the fact that until 1986 co-operative housing in Ontario, as across the rest of the country, was the jurisdiction of the federal government. At that time they had a requirement that a minimum of 25% of their co-operative housing would be in the rent-geared-to-income area and up to 75% would be in market housing. In 1986 the province took over the responsibility for this program. Our requirement is that approximately 70% of co-operative housing would be rent-geared-to-income and only 30% would be market housing, so there has been a considerable shift since 1986. The record seems to indicate that the particular buildings and persons who have been described recently are part of that pre-1986 program, not the post-1986 program.

The second thing I would share with my honourable friend, as I promised him in a previous question, is that I have contacted the co-op management teams of the various projects for which we are responsible and asked if they would indicate to us exactly how they are operating. A number of them have written back to me already and said they have built income ceilings into their program, and I am waiting for a report from the other ones. The general sense I am getting back is that they feel they have this generally under control, at least the post-1986 buildings.

1600

Mr Brandt: I applaud any of the co-op associations for bringing in caps with respect to upper limits on income. I believe, however, that is a provincial responsibility and some guidance should be given by the minister in connection with that whole issue. I have gone on record, and our party has gone on record, as being in favour, as we have been for some long time, of mixed incomes in those particular units. But I think it is absolutely an absurdity when some individuals with very high incomes are allowed to remain in those kinds of government subsidized units.

There are two things I want to ask specifically of the minister on this very interesting day that we have had here in the House. First, will the minister give an undertaking that he will look at an upper limitation or cap on incomes with respect to co-op housing programs? Second, will he give an assurance that he will bring forward the necessary amended legislation that will disallow any possibility of the sale of a co-op unit resulting in a profit to the individual residing in such a unit? Will he look at those two issues?

Hon Mr Sweeney: The short answer to both questions is yes. As a matter of fact, though, putting a little bit of detail around it, one of the things we want to be careful of is that when we moved from the province being totally responsible for Ontario Housing Corp stock to community agencies and community groups that would be responsible for non-profit housing

and co-op housing, we had a contractual relationship with them that they would be responsible for managing it, and there is a distinct limit on the number of rules we have with them.

I would much prefer if we can accomplish the same goal in getting them to agree to do this on their own, rather than my having to enforce something. My sense, from talking to both the non-profits and the co-ops, which operate fairly similarly, is that they are prepared to do that in a voluntary fashion and that is what we are waiting for right now.

With respect to the ownership down the road, roughly about 35 years down the road, I think I have already indicated in the House that I totally agree with the honourable member's observation and we are looking at two or three legislative mechanisms right now to enforce that. The current one is a change to the Corporations Act and whatever else is necessary for those buildings for which we are responsible.

SOCIAL ASSISTANCE

Mr Callahan: My question is to the Minister of Community and Social Services. Much has been said in the House today about food banks and how they do not serve the real needs of the poor of this province, and this city particularly.

I have to indicate that when I was a councillor of the city of Brampton, I visited a co-operative in the city of San Francisco that was run on the basis of an incorporated body. Its members were only people who qualified for assistance. They were given a specific card to identify them as being people who were receiving that type of assistance. They were allowed to participate in this co-op and to pay prices that were lower than the going rate. It created a good deal of dignity for these people. It took over from the food stamp process they had in the United States.

I wonder if his ministry has looked at or would consider looking at that, either directly or through some sort of a task force, to determine whether that would be feasible in this province.

Hon Mr Beer: I think I would want to say to my honourable friend that in terms of this question, my ministry would be prepared to look at any number of innovative proposals.

I think it is important to underline again, however, that in approaching the question of hunger and poverty we recognize that in dealing simply with the question of food banks we are not dealing with the root causes. Stemming from the Social Assistance Review Committee report, what we wanted to try to do was to attack some of the systemic bases of this whole issue. That was why we looked at things such as the basic rates that were paid for food and clothing and for shelter and made significant increases to them, why we are so concerned about the question of child poverty and made changes in terms of the amounts of funding going for children, why we were looking at the question of the minimum wage and the Minister of Labour made a change to that, why as well, looking at the tax system, we have been able to take more people off the rolls.

We will look at all of these various approaches, but I want to stress again to the honourable member that the issue of poverty is—

The Speaker: Thank you.

MOTION

COMMITTEE SUBSTITUTIONS

Mr Ward moved that the following substitutions be made to the membership of committees: on the select committee on constitutional and intergovernmental affairs, Mrs Cunningham for Mr Harris; on the standing committee on government agencies, Mr Runciman for Mr Pope; on the standing committee on public accounts, Mr McCague for Mr Harris.

Motion agreed to.

PETITIONS

LONG-TERM CARE

Mr Reville: I have a petition here from some 10,000 southeast Asians who live in Ontario, who are Canadians, who are concerned about the shortage of nursing home beds. I have signed my name to the petition.

SECURITY IN PREMISES USED BY PUBLIC

Mr Sterling: I have a petition to the Legislative Assembly and the Lieutenant Governor.

"We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the Trespass to Property Act, which we believe is unnecessary and without mandate.

"While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide a safe and hospitable environment for their patrons or customers. We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

I have signed that petition of 581 names. It brings the total to 5,239 people who have signed petitions of the like. In response to their—

The Speaker: Order.

CONSEIL SCOLAIRE DE LANGUE FRANÇAISE

M. Daigeler : J'ai une pétition signée par 30 résidents de la province de l'Ontario et la pétition se lit comme suit :

«Nous désirons par la présente que le ministre de l'Éducation, M. Sean Conway, entreprenne dès maintenant les démarches nécessaires pour la création d'un conseil scolaire de langue française dans Prescott et Russell avant les élections de novembre 1991.»

NORTHERN HEALTH TRAVEL GRANTS

Mr Hampton: I have a petition that is signed by over 150 people from the township of Atikokan. The petition states:

"Whereas the Atikokan Hospital and Atikokan Medical Clinic are able to provide only a limited array of health care services for the residents of Atikokan; and

"Whereas many residents of Atikokan must travel to Thunder Bay, a return distance of 384 kilometres, to access health care services prescribed for them by their family physician in Atikokan;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend the northern health travel grant program so that Atikokan residents who must travel to Thunder Bay to access prescribed health care services are eligible for northern health

travel grant assistance for their medically necessary travel from Atikokan to Thunder Bay."

I have affixed my signature to this petition, and I most heartily agree with it.

1610

ANSWERS TO QUESTIONS
IN ORDERS AND NOTICES

Mr Sterling: Mr Speaker, I rise on a point of order under standing order 95(d). You will be aware that this is not the first time we have raised this matter.

Since the election of this government, it has become increasingly difficult to get information on a wide variety of matters. However, it has reached the point of utter ludicrousness. Every question standing in Orders and Notices but one is in violation of standing order 95(d), which states, "The minister shall answer such written questions within 14 calendar days." Of the 71 unanswered question in Orders and Notices, 43 of them are from 1989, 33 alone from June 1989, one year ago.

This failure to answer questions in Orders and Notices is not only a breach of our standing orders, it is also a breach of the privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege occurs when there is a refusal to produce papers before the assembly or a committee thereof.

As a member of this assembly, I feel that I have a right to the access of information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, in the past you have stated that you were unable to act upon the infringement of this standing order. However, I would ask you at this time to take into account the deliberate and continual disregard of the standing orders of this Legislative Assembly and the rights of the opposition by this government.

This government is clearly uninterested in responding to very responsible and legitimate questions about its activities. The government's blatant disregard of our legitimate requests under standing order 95(d) indicates to me that this government is not interested in being accountable or is deliberately avoiding accountability.

Mr Speaker, I know you cannot enforce ministers to give quality responses to questions in Order and Notices, you cannot force them to table reports, and you cannot force them to answer freedom-of-information requests, but you do have some power in enforcing the standing orders. Therefore, I would ask that you take the necessary steps to ensure that standing order 95(d) is complied with and not shown total disregard, as it has been by this government.

The Speaker: I thank the member for his point of order and point of view. In case the government House leader has not heard that, I will certainly bring it to his attention as strongly as I possibly can.

SUPPORT AND CUSTODY
ORDERS ENFORCEMENT

Mr Hampton: I have a further petition. Is it too late?

The Speaker: Would the members allow the member for Rainy River to present his—one petition?

Mr Hampton: This is a petition to the Legislative Assembly of Ontario:

"Whereas the children in over 50,000 families across the province of Ontario are suffering needlessly because they are not receiving court-ordered child support payments; and

"Whereas legislation was adopted in 1985, the Support and Custody Orders Enforcement Act, to address this situation; and

"Because this legislation is not being adequately enforced by the Attorney General of Ontario, the children continue to suffer.

"We, the undersigned, petition the Attorney General of Ontario as follows:

"To have the Ministry of the Attorney General devote sufficient staff, resources and authority to the support and custody orders enforcement program so that it may be properly enforced and the backlog of unenforced support orders may be reduced and, preferably, eliminated."

I have signed this petition.

ORDERS OF THE DAY

House in committee of the whole.

POLICE SERVICES ACT, 1990

Consideration of Bill 107, An Act to revise the Police Act and amend the law relating to Police Services.

Hon Mr Offer: As a preliminary matter, I would request leave to take a front seat, with assistants.

Agreed to.

Hon Mr Offer: While the table is being prepared, I have earlier spoken to the critics dealing with this bill. We have reprinted the bill for consideration before the committee today and I would ask for unanimous consent for its usage.

Mr Sterling: Just prior to giving our consent on such a matter, I want to tell you, Mr Chairman, that this matter of giving consent with regard to the reprinting of the bill and without having to introduce some 102 amendments to the Police Act, Bill 107, causes me great, great concern, in that there has been no discussion in committee on a clause-by-clause basis of 102 amendments because there was not time, there were so many groups from the public who wanted to have their say, and I will be having comments in that regard at a later part of our proceedings.

The Acting Chair (Mr Reycraft): But we do have your consent to deal with the reprinted bill?

Mr Sterling: Yes.

Agreed to.

The Acting Chair: The first order of business will be to find out which other sections in the reprinted bill are going to be put forward for amendment or for which there will be amendments proposed.

Mr Philip: I have quite a few amendments, as does my colleague the member for Welland-Thorold, but a number of these amendments are dependent on the passage of an amendment to section 98. Because of the time frame, it seems unnecessary—in the event 98 were not passed, then all of the previous amendments that I would be proposing would be irrelevant to the bill.

I have spoken to the minister and to the Conservative critic and I have suggested that as a way of facilitating our way of dealing with this we could stand down the earlier sections and deal with 98, which deals with the crucial issue of the inde-

pendence of the police investigation. If my amendment is acceptable, then we can proceed in order through the bill. If my amendment is not acceptable to the House, then I would withdraw a great number of the amendments that I have. I think that would save the House a considerable amount of time.

The Acting Chair: Could we get it clarified as to whether or not you are talking about section 98 in the reprinted bill or section 98 in the original bill?

Mr Philip: I believe they are the same.

1620

The Acting Chair: So your request is that we stand down sections 1 to 97 and deal with section 98 first?

Mr Philip: Yes, deal with section 98 first and then we can go back to the other sections in an orderly fashion. If that were done, and if by any chance the government does not see the wisdom of my amendment, then I would withdraw a number of my other amendments and it would remove the necessity of my reading a great number of amendments into the record.

Mr Kormos: If I may expand on that, Mr Chair, the member for Etobicoke-Rexdale, as you have just been told and as you well know because he tabled them with the Clerk some time ago, has a number of amendments to the bill in areas that have attracted some special concern, not only on his part but on all of our parts. I too have tabled with the clerk earlier today some five amendments dealing with section 27 and with section 31 of Bill 107.

We have less than two hours to deal with the bill, to deal with amendments in committee of the whole House, and the member for Carleton is dead on. He is 100% correct. The standing committee on administration of justice did not concern itself, it was not permitted to address itself, to the matter of clause-by-clause consideration or to the matter of amendments, be they opposition members' amendments or otherwise. So we have only an hour and 20 minutes, and we still have to do Bill 145, the member for Cambridge's gun replica bill. If that bill is not passed this afternoon, more police officers' lives are going to be jeopardized this summer.

Just as we can go to section 98 first to deal with the member for Etobicoke-Rexdale's amendment, I am hoping similarly we can go to sections 27 and 31, respectively, to deal with those amendments.

The Acting Chair: I wonder if we could deal with the request from the member for Etobicoke-Rexdale now, and if you have a subsequent request to make to the committee later, we can deal with it then.

Mr Kormos: But I am hoping we could map this out now so we can do things in as orderly a way as possible, seeing as how the opposition has been so co-operative in terms of the types of consensus given to the government in this regard.

Hon Mr Offer: My understanding of the matter is that the member for Etobicoke-Rexdale has an amendment numbered section 98. He has indicated that if we can deal with that particular amendment first, it would make a number of other amendments which he has also proposed prior to section 98 not necessary to be moved.

Mr Philip: If it's defeated.

Hon Mr Offer: If it is defeated, yes. I have no objection to dealing with the proposal the member for Etobicoke-Rexdale has outlined, on the understanding that when we deal with section 98 we would then revert back to the beginning of the bill

and then proceed in order through it, thereby dealing with some of the amendments the member for Welland-Thorold wishes us to deal with.

The Acting Chair: Mr Sterling, are you agreeable to Mr Philip's request to stand down sections 1 to 97 and proceed to 98?

Mr Sterling: Yes.

The Acting Chair: Does the committee agree to the request?

Agreed to.

Section 98:

Mr Philip moves that section 98 of the bill be struck out and that the following be substituted:

"98(1) A police complaints commissioner shall be appointed by the Lieutenant Governor in Council on the address of the assembly.

"(2) The commissioner is an officer of the Legislature and reports to the assembly.

"(3) The commissioner shall hold office for a term not exceeding five years, may be reappointed by a further term or terms not exceeding five years in each case, and may be removed at any time for cause by the Lieutenant Governor in Council on the address of the assembly.

"(4) The commissioner has the following powers and duties:

"1. Receiving, investigating and dealing with complaints in accordance with this part.

"2. Conducting investigations and audits of activities of police forces to identify patterns and systemic problems in the provision of police services.

"(5) The commissioner shall maintain copies of all records, reports and other materials received in connection with complaints, investigations and audits.

"(6) The commissioner may establish local offices.

"(7) Anything that is given to or served upon the commissioner under this part may be given or served at one of the local offices.

"(8) The commissioner's accounts shall be audited annually by the Provincial Auditor."

Mr Philip: I have tabled that amendment with the Clerk and provided copies to the Conservative Party and to the minister.

We heard from numerous deputations in the committee. The hearings very much resembled the hearings that we had in 1981 when I chaired the standing committee on administration of justice and we had hearings on the original police complaints bill introduced by the Honourable Roy McMurtry.

There are a number of problems with this bill. Some of the problems we will deal with later, such as my concern about the right that I think police should have to political action, the same as any other citizen, and that is not covered in this amendment. But some of the other concerns are concerns that are similar to the concerns that were expressed in 1981.

First, the right of the commissioner, or the ombudsman, if you like—I prefer to use that term because it is one that I am used to using in the literature—should have the right to conduct his own systemic studies into patterns of problems that may be going on. We see that if we look at ombudsmen throughout the world and if we look at our own Ombudsman, and indeed our human rights commissioner, that particular Ombudsman has that power.

Second, there should be a provision for an independent audit. That was the recommendation of various groups, including the Canadian Civil Liberties Association.

Last, I think it comes down to a matter that we have dealt with both in 1981 and in these hearings; namely, the credibility of a police complaints inquiry. We have had various members, from civil liberties groups to municipal people to members of the visible minority groups, argue that if an investigation is not entirely independent, then whatever the results of that investigation, there will still be a cloud over it.

We have also had people, particularly from my own riding, who may not be members of the visible minority community but who come from countries where the police have been part of a totalitarian system. In my own riding of Etobicoke-Rexdale I have a number of people who have suffered under police brutality behind the Iron Curtain. I have a number who have come from Chile. I have a number who have come from some of the less democratic nations on the continent of Africa. Indeed, I have a great number who have suffered under the junta that luckily has disappeared in Argentina. Those people, even though they may not be members of visible minorities, none the less have within them a real fear of going to the police or of having the police investigate any kind of complaint which they may lodge.

So whether or not the results of the investigation would be different, and they may well not be different, there is the problem of perception and there is the problem of usage; namely, that people who are afraid of an investigative system will not use it.

1630

In 1981 the leader of the Liberal Party, Stuart Smith, said, and I refer members to Hansard, page 2069:

"I would recommend that when we bring back this police bill we allow for the civilian commissioner to do the review right off the top and not have to wait for the police to investigate themselves."

At some length, the member for Bruce, who is a member of this assembly, argued, in responding to the amendment which I put in committee:

"From the number of people who testified before us, I think it is quite clear there is some concern. I think it can be noted without making too contentious a statement that there is at least some concern in the community, at least to the people who appeared before us to represent visible minority groups and various minority groups, that perhaps the investigative procedure is a vital instrument in dealing with the complaints being lodged against the police."

He went on to say, "Mr Borovoy"—and Mr Borovoy made the same arguments in 1981 as he made before our committee just recently—"I must also suggest that Mr Borovoy's position from the outset was that he preferred to have independent investigative proceedings." The member for Bruce—and I do not want to prolong the debate on this—went on to give his arguments as to why he supported Mr Borovoy's position and my position.

Later, when the bill came into the House, the Liberal members, being the official opposition at that time, were indeed so concerned about this issue—the very amendment, in a different form, that I have just moved—that they jumped up quickly, as was their right as the official opposition, and moved my amendment before I could have an opportunity to move that same amendment which I had moved in committee. They must have felt very strongly about this issue or they would not have tried

to suddenly to take an amendment which I had introduced in committee and introduce it in the House as their own particular amendment.

Indeed, if you read the statements by the various members, be it the member for Brant-Haldimand, the member for Lambton or the member for Bruce, you will see that they all say that is the crucial issue in the bill. Indeed, the member for Bruce, who was leading his party in this issue, said, "I wish to rise at this time to indicate that we will not be supporting the bill in principle because of some of the situations that have been pointed out previously to the Solicitor General." The primary situation he was referring to in that debate and in that bill was the problem that the investigation should from the very start be done independently and be under the direction of the police complaints commissioner.

So in a sense what I am moving is an amendment which reflects perfectly the amendment that the Liberals posed in this House in 1981, when they felt that the Conservative legislation at that time did not go far enough. At the time, Mr McMurtry argued very well. He said: "Look, we are into a new situation. This is a pilot project. We have to give it time. I recognize that it may not go as far or do as much as you, or indeed as I, would like, but give it time and we can look at it in three years."

It has been more than three years. The opposition parties—the New Democrats, who were the third party at that time, and the Liberals—felt that they could not support it primarily because of this one issue. Now what we have is the Liberal government introducing legislation that has the same error, if you want, that the Liberals felt so strongly about that they had to vote against the bill in 1981.

I am not going to do a lot of rhetoric about flip-flops and inconsistencies and so forth. All I am asking is that the Liberals now strongly consider that they had an opportunity in 1981 to set up a truly independent police inquiry system. They chastised the Conservatives for not doing so. They felt so strongly about it that they, along with the New Democrats, moved amendments to make it so; and now they are extending to the rest of the province what is an expansion of the original police complaints system that Mr McMurtry set up.

I say this amendment is consistent with what the Liberals were asking for in 1981 and I would urge the government to do in government what it has preached in opposition. If this amendment and certain other amendments, such as the right of police to free political expression, do not pass, it is safe to say I cannot recommend that we vote for this bill.

Hon Mr Offer: I have listened carefully to the submissions made by the honourable member for Etobicoke-Rexdale. Before discussing that, I want to take a moment to thank him for his contribution to the committee process, not only on this bill but dealing with an earlier bill, Bill 4. I know very much of the work he has done in the area.

I must say we cannot accept this particular amendment. I think we have to recognize that what we are doing in this particular piece of legislation dealing with the public complaints system is expanding and building upon the success of a system which currently exists in Metro Toronto. We are expanding upon that by expanding the system to all parts of the province so that it is applicable to all municipal police forces, regional police forces or indeed the OPP. Currently, as we know, this particular system only exists in Metro Toronto. The particular piece of legislation before the House expands it so that all citizens of this province, if they have cause to initiate a complaint, will have a mechanism to do so, which complaint may in the final analysis be determined by a civilian board of inquiry.

We are expanding the system and we are building upon the success of the existing system in Toronto.

Dealing with the submissions made by the honourable member dealing with audit function, I think it is important to note that currently, dealing with the Police Services Act before this Legislature, there is given to the Ontario Civilian Commission on Police Services—a commission which was previously known as the Ontario Police Commission—a role that is very much akin to an audit function. Under clause 25(1)(c) there is the right of the commission, which may, at the Solicitor General's request or at a municipal council's request or indeed of its own motion, investigate, inquire into and report on "the manner in which police services are provided for a municipality." I believe that in many ways provides the door, the framework the member has previously alluded to.

A final point I would like to make talks to the initiation of complaints. It is true that complaints, save as to exceptional circumstances, cannot be initiated by anyone other than a complainant. That is true in the current system existing in Metro Toronto and it will be true in this expanded system for all citizens of Ontario.

But we have listened closely to the representations not only of the member but of individuals who came before the committee. That is why in the reprinted version of the bill there is a section which states that the public complaints commissioner, if in his or her opinion it is in the public interest to do so, may of that person's own volition review a decision of the chief of police. I believe that meets very much head on the concerns raised not only by the member for Etobicoke-Rexdale but also by individuals who came before the committee. I believe it is necessary. We have moved that amendment and we want that amendment to be passed into law.

1640

Mr Kormos: I do not understand how the Solicitor General could stand up and talk about everything but what the member for Etobicoke-Rexdale addresses with his amendment to the bill. The issue has been around for a long time. Indeed, the member for a long time participated in the hearings around Bill 4; he chaired the committee that addressed the matter of Bill 4. The government cannot have it both ways. I know it tries to have it both ways time and time again. These Liberals have become so adept at sucking and blowing simultaneously that they have become the eighth wonder of the world. They want to try to create the impression that somehow they are creating an independent complaints procedure, yet when an amendment is put forward, as is this amendment, which will truly make the procedure independent, the government backs away. The government responds, as I say, talking about everything but the point at issue.

For the life of me I cannot understand why the Solicitor General, if indeed he had listened to the representations made to the standing committee on administration of justice—I appreciate it was such a brief period of time. That committee was hamstrung by the Liberals' urgency in this province to try to attain some political credibility in the face of just gross mismanagement, in particular of this ministry, the Ministry of the Solicitor General and the litany and this ministry's history of not just unfulfilled promises but broken promises. And members know what people out in the community call them; they do not call them broken promises. I do, because if I were to call them what people out in the community call them, I would be thrown out of the House. We have only got an hour and a half left to deal with this bill.

There was a whole lot of evidence at the committee about the matter of the need to keep a finger on data, on patterns, so that there can be an ability, so that there is a capacity in the system to note systemic problems, to look for the patterns and the trends and the evidence that would give rise to a conclusion that there is a systemic problem because that means it has to be addressed in an entirely different way.

Here the member for Etobicoke-Rexdale, in what is a good amendment, what is a healthy amendment, what is designed to help the Solicitor General make this bill a better bill than what it is now, is being rebuffed by the government. Why? Because he wants to make this a better bill than it is in its present form. Indeed, he and we in the opposition want to give some effect to the contributions made to the committee process by the participants in that process by the persons giving evidence, making representations to that committee.

The Solicitor General has not answered the point raised by the member for Etobicoke-Rexdale. He avoids the issue and, quite frankly, this says it all. What we have got here is a feeble, pathetic and cynical effort on the part of the Solicitor General to try to create the illusion of a new police act, a new approach to policing, a new approach to the relationship between civilians and communities and their police force when in fact it is nothing more than the same old, tired thing and the same old government refusing to acknowledge where it has taken the wrong path. I find it amazing that the Solicitor General would take that approach to this amendment. I am confident that the responsible members of this House, the persons in this Legislature who have listened to the delegates before the committee, the people who know what some of the problems are in communities across Ontario, those people in this Legislature will be supporting this amendment even if the Solicitor General will not.

Mr Philip: All that I am asking the Liberals to do is to be consistent, to do what in government they have said in opposition. All I am asking them to do is to be consistent. I am asking them to bide by the principles that they said were so sacred that they could not vote for Mr McMurtry's bill because of them. All I am asking them to do is to show some consistency with the leader whom I had the greatest of respect for, Stuart Smith, and who led his party when it was a Liberal Party and not just a Conservative Party under a different colour of suits.

All that I am asking in this amendment is that the government pass on the powers of this ombudsman, the same powers that are passed on and that are contained in legislation after legislation for every Ombudsman in this country. Prince Edward Island is the only province, I believe, that does not have an Ombudsman, but if you look at the legislation in every jurisdiction, you will find that the Ombudsman and the human rights commission have the very powers that I am moving here. Indeed, in our own province the Ombudsman and the human rights commissioner have the powers that I am asking this ombudsman to have.

It strikes me as blatantly absurd that somehow in something as sensitive as the kind of matters that this ombudsman will be dealing with, he should have fewer powers than in something that may be a somewhat lesser kind of complaint against the actions of a particular public servant in the Ministry of Transportation or the Ministry of Government Services.

It seems to me blatantly absurd that we are creating two systems of ombudsman, one with certain powers—and I recognize that in Ontario, thanks to the Attorney General of course, we will be seeing legislation later, if they are re-elected, that will reduce the Ombudsman of Ontario to having fewer powers

than any Ombudsman in Canada. None the less, at least even under that restrictive legislation the Ombudsman of Ontario would still have more powers than this ombudsman under this bill to investigate what are likely to be fairly sensitive matters.

I have talked to friends of mine who are police officers. Indeed, there are some police officers who are members of my riding association. They have said, "Look, if there is a complaint laid against us, and if it is a frivolous complaint, if it is an unfounded complaint, we would like people to know that there is no question if we are exonerated, that we are completely exonerated by an independent system and not that some buddy or colleague of ours did not do what was necessary to have a thorough and proper investigation."

This does not call for social workers or do-gooders or whatever other names the Conservatives might like to place on whomever to go out and investigate police complaints. All it envisages is that trained investigators, perhaps ex-police officers, perhaps people who are retired from Scotland Yard or the RCMP or the OPP or from some other municipal police force, would do the investigation and that they would answer to a force other than the local police force.

It seems to me, in fairness both to the officer who may be accused of something and to the complainant, and knowing the multicultural nature of this province and the kinds of totalitarian systems that people have come from and their fears in laying complaints and coming forward, this makes eminent sense. Why set up a system people are not going to use?

This was the testimony we had from group after group. I do not blame people for being cynical about politicians. The leaders of the various community groups come here week after week. We see them on the second floor being entertained with cocktails and hors-d'oeuvres and all that kind of thing. They say, "Oh, my, isn't it wonderful that the Premier had a cocktail with me as leader of this club. He knew me by my first name," and so forth. But eventually somebody says: "Where's the meat? Where are the kinds of things you said when you were in opposition that you were in favour of and why are you not delivering in government?"

Here is an opportunity for this government to deliver what it said in opposition and not just give the various groups trying to buy them off as though they can be bought off with cocktails, smiles and a drink with the Premier. That is all this government seems to be giving people who have some real concerns. They are not antipolice. They are not anti law and order. They are in favour, though, of certain civil liberties being enacted in this province where we have an opportunity to build the most exciting democratic society anywhere in the world because we have people from the most interesting places in the world, and they are trying to work together to build a society with the police and with the community groups and so forth.

Community groups are asking for this. The civil rights groups are asking for this. Some municipalities have certainly expressed interest in this. I know some of my friends who are police officers—and it may not be the position of their association, which did not comment on this—individually feel that it is a good idea. I am simply asking the Liberals to stand up to the principle of liberalism. For heaven's sake, they were a Liberal Party when Stuart Smith was in charge; why be another Conservative Party under David Peterson?

1650

The Second Deputy Chair: All those in favour of Mr Philip's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr Philip: Mr Chairman, for the sake of the table officers and for the members, at least the Liberal members and the NDP members who are here, I would point out that of the motions I have tabled, and my colleague has tabled some others, all of the amendments be withdrawn with the exception of 133b, 48a and 77(1). All the others I withdraw. The last one that I will be moving is 133b. All the other amendments, since they were dependent on this amendment passing, can now be withdrawn. There is no sense in our wasting our time with my moving them.

The Second Deputy Chair: I thank the honourable member for doing that. As a result, we will go back to the beginning of the bill. Mr Kormos has amendments to section 27, so how about sections 1 to 26?

Mr Sterling: I want to speak to section 4.

The Second Deputy Chair: Do you want to speak to a section before 4, Mr Kormos?

Mr Kormos: Yes, section 1.

Section 1:

Mr Kormos: The reason I rise briefly to speak to section 1 is that I look at paragraph 6 of section 1. I am going to be making reference to this when we talk about section 27, and indeed the member for Etobicoke-Rexdale in an indirect way made reference to it already.

Paragraph 6 in section 1 is one of the principles which shall govern or in fact determine the nature of police services here in Ontario. It is a fine principle. My goodness, the enunciation of principles in the very beginning of this bill is what made some of us so enthusiastic about the potential this had when it was first read. We thought, here is a chance to give effect to a major overhaul of policing, to recognize that policing has become far more complex, far more difficult, so demanding, indeed has become in many instances dangerous for the police officers, for the men and women in Ontario who police our communities, but recognizing at the same time, as the Solicitor General says so often, "This Police Act is 40 years old and requires updating." Of course it does and we were enthusiastic about the prospect of participating in consultation with people across Ontario, people from the communities who are going to be affected by this legislation.

That is what paragraph 6 is all about, that overriding principle, "The need to ensure that police forces are representative of the communities they serve." It is that paragraph in section 1 that, as I say, made us, as the opposition, eager to engage in a thorough consultative process. It is that paragraph, along with some other things in the bill, that permitted us, on first reading and shortly thereafter, to say yes, we welcome this bill. We welcome the opportunity to put it before the people of Ontario, the men and women of the communities who are being policed and the men and women who are the police officers in those communities. Yet the standing committee on administration of justice, upon which fell the responsibility for reviewing the bill and engaging in hearings, was permitted but the shortest of time.

It did not leave the city of Toronto, as if the province of Ontario begins and ends at Lakeshore and Finch. It did not begin to consider the needs of communities in the rest of Ontario, the need to look at communities like regional Niagara, the fact that millions and millions and millions of dollars are being

spent on an inquiry into policing in regional Niagara by Judge Colter, the results of which should be sought out before the final debate on Bill 107.

The taxpayer is being drained to the tune of literally millions of dollars for a major inquiry into policing right here in Ontario in the Niagara region, the Colter commission. Yet this government appears to be not at all interested in what Judge Colter is going to recommend or the conclusions he is going to reach as a result of that lengthy inquiry, because this government has made it quite clear that it is not interested in waiting until the results of that inquiry are made available.

Once again, the committee did not even leave the city of Toronto. It did not even leave Queen's Park. Did it go to communities in the north? Did it go to the small communities? Mention was made of them by members of that committee who cried out, saying: "What about the communities that are policed by two- or three-person police forces? Where are their concerns and where are their interests and their problems being addressed in the course of this government's so-called discussion of Bill 107?" It was pointed out to the committee by an opposition member, the member for Lake Nipigon, that the whole issue of native communities and the problems found in those communities with respect to policing has not been addressed at all.

There is the matter of cost, the matter of funding and the fact that more and more responsibilities have been placed on municipal police forces by this government, most recently and most specifically the responsibility for courtroom security, yet this government has failed and has been thoroughly delinquent in funding those new roles that it has imposed on municipal police forces.

I can tell members what has happened in the Niagara region. That is to say, criminal investigation bureau officers, plainclothes persons if you will, are being called upon to do courtroom security. That means there are backlogs in CIB investigations of not just a month but two months and three months. You talk to any police officer and he will tell you that the likelihood of solving a break-and-enter or any other number of crimes when the investigation is commenced by the criminal investigation branch after only a month or two months or three months rather than immediately as it should be, the chances of ever solving that crime and identifying the offender, never mind successfully prosecuting the offender, are virtually zero.

So this government has become responsible for, yes, handcuffing the police, because municipalities like the Niagara region are forced to call on their CIB units. They cannot call on their uniformed units because the uniform staffing has been pared down. It has been cut to the bone and they recognize that at the very least—and financially they are struggling to do it—places like Niagara region realize they have to keep uniformed officers on the street.

They are calling upon CIB officers to do courtroom security because the government has forced them to do that without providing any funding for it, so that appropriate person power could be acquired to perform it. The net effect, the real effect, the immediate effect is that the police are being handcuffed by this government, the police are being prevented from doing their job by the Liberals right here at Queen's Park.

1700

Drug investigations: Communities that are prepared to identify problems with traffickers and pedlars of dope are similarly having the door slammed in their face when they want to undertake complete investigations of that, with a view to detecting the offenders and to successfully prosecuting them. Once again,

this government says it has a war on drugs. Well, some war. You would wonder what side the Liberals are on, because they are prepared to produce the occasional videotape and the occasional glossy pamphlet, but will they get right down to the issue and fund local and regional police forces that want to develop drug units so that they can do some meaningful and effective drug work?

No, this government's war against drugs fails to give police forces any ammunition to fight that war, but rather gives them glossy pamphlets and videotapes. Does this government, in the course of its consideration of Bill 107, have a real intention of developing a new police structure in the province that indeed is going to be representative of the communities that are served by those police? No.

They did not visit the communities, they did not talk to the police officers, they did not talk to the ratepayers. They did not. The Liberals refused to talk to those people. They did not go to those communities. They did not even leave the confines of the Legislative Building at Queen's Park. What was the Liberals' motivation? Well, this government knew that it was in serious trouble because of its lack of action in a whole number of areas of policing.

A whole number of issues had been brought to its attention by the opposition day after day after day, with the most feeble sort of responses, because this government is far less interested in engaging in any real action on any real issues than it is in hiding away and mumbling incoherent answers, quite frankly, to some of the most pressing questions. What are we stuck with? Mumbled and incoherent answers.

There was but the briefest, shortest period of time made available and it was basically available only to those who were either in Toronto or were prepared to travel to Toronto. Meanwhile, for the vast part of this community, for the vast part of this province, that is extremely difficult and financially impossible for great numbers of people.

So you are left here with a Police Act that does not help police officers do their job in the way that those good police officers want to do it. You are left here with a Police Act which does not fulfil even the preamble. It does not even fulfil the requirements of the preamble, the principles expressed there, among other things, that police forces are representative of the communities they serve.

Look at what paragraph 5 says: "The need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario." Paragraph 4: "The importance of respect for victims of crime and understanding of their needs." Paragraph 3: "The need for co-operation between the providers of police services and the communities they serve." This government expects communities and ratepayers and municipal taxpayers and property owners to pay for the policing of their communities. But this government is not prepared to help them with that. This government is not prepared to let those same communities have a say in what policing will mean in that community. I am going to speak about that more when I talk about my amendments to section 27.

The Liberals want to rush this through without consultation, without talking to police officers, without talking to members of communities, not only in Toronto but elsewhere in Ontario. Let them go ahead. They have a majority and they can use that arrogant, supercilious majority basically to achieve whatever end they wish. They are going to ram this police act through because this government was impotent in the face of another black youth's shooting. That is what happened. The Neal kid got shot here in the city of Toronto, a 16-year-old black kid, and

the Solicitor General jumps up and says: "We're going to solve the problem. We're going to ram a police act through."

If this Solicitor General were sincere, if he were anything other than the most thoroughly cynical and politically motivated beast, then he would use the summer as an opportunity to conduct hearings across the province.

Mr Polsinelli: On a point of order, Mr Chairman: Would the Chair advise as to whether the word "beast" is parliamentary?

The Second Deputy Chair: I do not know. I would have to look it up in Erskine May. There are about five pages in terms of what is and what is not parliamentary.

Let me turn to the member for Welland-Thorold. What do you think?

Mr Kormos: It is a thoroughly parliamentary term. I would not have used it if it were not. Only a twit would object to it. Now that may be unparliamentary.

The Second Deputy Chair: You are not helping matters.

The trouble is, I say to the member for Yorkview, in the course of events, "beast," where it would cause unruly disruption in the House, is probably not parliamentary. On the other hand, under the situation, the minister is trying to get the bill through, I am waiting here patiently listening to the member for Welland-Thorold carry on and you interjected, and it all does not help matters much.

Mr Polsinelli: On a point of order, Mr Chairman: Perhaps the twit from Welland-Thorold should take the advice of the Toronto Star and stay home.

The Second Deputy Chair: Okay, now I can make a ruling. We will call it tit for tat. The honourable member now can continue.

Mr Reycraft: Or twit for twit.

The Second Deputy Chair: Better yet, twit for twit.

Mr Kormos: Does the member for Yorkview have to practise to be stupid or does it come naturally? That editorial was in the Sun, not the Star.

The Second Deputy Chair: You are not helping matters. Listen, I have been more than gracious. I have waited patiently for almost half an hour. The former colleague of mine the member for Oshawa, who has now departed from this place, in terms of setting a precedent indicated that he would not allow extensive rambling in committee of the whole House on the first section because that was allocated to second reading.

What am I to do? I think the precedent is there. In view of not wanting to force the committee and the honourable member to conclude his remarks, I will be more than patient, but I think it is only fair that he tries to restrict his remarks to the section. I will wait and watch the clock.

Mr Kormos: I tell you, Mr Chairman, that patience is a virtue and we are so pleased that you are possessed of it.

So here we are, and no, we are not going to block the passage of Bill 107. We would love to, because it is a crummy, crappy piece of legislation. It does not achieve any of the goals that it purports to achieve. It is motivated, as I say, solely by the cynicism of the government and of the Solicitor General. It is not motivated by any real desire to improve policing and to improve the lot of police officers and to improve the quality of life and the establishment of law and order in communities.

So we are not going to filibuster it. We are not going to prolong the debate on it. We are not going to introduce a

plethora of amendments to it, because we know what would happen. The same thing would happen to the numerous amendments we considered proposing as what happened to the amendment to section 98 by the member for Etobicoke-Rexdale. It was a meaningful, serious amendment in an attempt to make the bill better than it was. We know the Liberals have their marching orders: "Get this bill passed before we recess for summer." That gets me back to what I was talking about before.

1710

If the Solicitor General were serious about making this legislation the law, the structure and the program that it could be for policing in Ontario, he would have the standing committee on administration of justice spend the summer listening to delegations. The Solicitor General would consider travelling to communities beyond Toronto. The Solicitor General would want to talk to police officers, not just the chiefs of police forces but the people on the beat. I have no doubt that some Liberal members talk to police officers—in the course of the election finances investigations it was almost impossible not to—but I mean talking to police officers about Bill 107. I mean talking to police officers about the legislation and what it means, not police officers conducting criminal investigations.

I tell you, Mr Chairman, we are not going to do those things. We are going to vote against Bill 107. While I have no doubt that there are some Liberal members here who sure wish I would stay in Welland-Thorold, we have Liberal members here who I am sure wish that I would never go further east than Roncesvalles.

On the contrary, I am here, and I am here on behalf of the people in Welland-Thorold who had expected more of this government than what this government ever came close to delivering. I am here on behalf of good, hardworking people in Welland-Thorold who are tired of the broken promises of these Liberals, who are tired of their dishonesty, who are tired of the corruption that has permeated this government, this cabinet and the Liberal Party of Ontario, and they are tired of a government that refuses to even clean its own house but which is prepared to live with the stench of corruption that rises from it, and increasingly so on a daily basis.

We vote against Bill 107 because the reason the Solicitor General will not go to the communities in Ontario with Bill 107, the reason the Solicitor General will not have real consultation is that there is going to be an election in the fall. He is prepared to trade off the next decade or two or three of policing in Ontario in a cheap effort to maintain his own political stability.

Well, it may or may not work for the Solicitor General. The fact is that the last thing we will be able to say is that the Liberals did not pass a police act. Oh, they sure will have passed a police act, but it is the crummiest, shoddiest, shabbiest, least sincere bit of legislation that one could ever see. We are going to be voting against it. We are not going to have any part in it. Having spoken now to section 1, I am prepared to vote on those sections until we get, of course, to section 27, wherein I have some amendments to move, Mr Chairman.

The Second Deputy Chair: Shall section 1 carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion the ayes have it.

Section 1 agreed to.

Sections 2 and 3 agreed to.

Section 4:

Mr Sterling: I just want to thank the Liberal whip for his hospitality.

Hon Mr Offer: Did you get a sore throat? With all this, it did not help.

Mr Philip: If you hadn't smoked so much, you wouldn't have a sore throat.

Mr Sterling: Actually, the member for Norfolk was in the whip's office just a few minutes ago. He will probably come running in here. He did offer me a smoke, but I refused, as usual.

Mr Faubert: That was the member for Welland-Thorold.

Mr Sterling: The member for Norfolk is the champion of the tobacco people.

I want to associate myself with many of the comments which were made by the member for Welland-Thorold, particularly the comments with regard to the haste, the process with which we are considering Bill 107. I believe we are making a mistake today, this being the last day of the Legislature's sitting, to consider a bill of such importance in such a short period of time.

We are dealing with a bill which has, I believe, 148 sections, and this government has introduced, since it was first introduced in—sorry, I do not have it on the front page of the bill—

Hon Mr Offer: December.

Mr Sterling: Since December, they have introduced 102 amendments to this piece of legislation.

We have had 102 amendments that have been put forward. We had a number of people making submissions to the justice committee over the last four or five weeks. Quite frankly, I could not be there for all of those submissions, and sometimes my caucus had difficulty in having a member there because they were sitting on afternoons when we were discussing other matters in this Legislature dealing with justice issues, and with other issues, which is not normally the case and which is not normally the accepted practice in this Legislature.

They were sitting on nights when we had caucus meetings, and in fact the next morning the CBC radio announcer Gerry McAuliffe took us on for not having somebody there at those particular sittings that evening. In fact, we were having a caucus meeting that night.

Therefore, we have had a situation where we have had groups come into a contracted committee schedule and we have not had the opportunity of putting our schedules in place so that we could hear all those public hearings. Not only that, this bill purports to remedy some of the situation which has arisen here in Metropolitan Toronto, that situation relating to visible minority groups and, in particular, the shooting of one of the people of this minority group.

In fact, this bill does not deal with that situation at all, or in a very minor way. What we are doing is forcing upon the rest of Ontario something which has been in place here in Toronto for some eight or nine years. So what have we done in this legislative process? We have held hearings here in Toronto to hear about a bill which is going to affect the rest of Ontario more than the city of Toronto. I ask members for the logic and the reasoning behind what is happening here this afternoon.

1720

My party agreed. In fact, the House leader of my party, the member for Parry Sound, wrote to the Premier and said: "Look, we will consider this bill tomorrow. We will put it on our agenda. We will try to extend our members to have this bill heard by the justice committee and bring it on in the Legislature."

But I and my House leader did not realize at the time the number of people from across this province who wanted to put their submissions forward. In fact, since the hearings have shut down, I have received on several occasions from the clerk of the committee, Mr Arnott, additional submissions from various groups from across this province who wanted to have input into this bill. The people of eastern Ontario, of northern Ontario, of western Ontario have all been denied the right to make submissions on this bill because of the government's panic in passing this piece of legislation.

I want to say that my caucus feels very concerned about the passage of this bill and the method in which it is being done. We do not believe that the amendments are going to be considered properly, we do not believe that there is going to be proper consideration of this bill. The members may remember last year; we went through this very same procedure with the Attorney General on Bill 2 and Bill 3, which were substantial amendments to our court system.

Bill 107 is exactly the same kind of bill dealing with substantial amendments to our Police Act. In the case of Bill 2 and Bill 3, the Attorney General insisted that we cut off public hearings at the end of June of last year. We tried to keep those public hearings open until October. We were denied that by the majority in the justice committee, controlled by the arrogant Liberal government. They insisted on saying, "No, we will not hear any more from people who are concerned about the changing of our court system."

Now we have the Solicitor General bringing forward Bill 107 on the last afternoon when, quite frankly, the number of members in this chamber has dropped to six or seven. We have many of them talking while I am talking, showing no respect for the Chair or for what is happening in this Legislature.

An hon member: At least your own caucus is listening.

Mr Sterling: I will wait until they are finished.

The Second Deputy Chair: Thank you.

Mr Sterling: This is a very serious bill, of significant magnitude, and the arrogance of the Liberal members is a little overwhelming for me to take on too long a basis.

Mr Curling: Do you know the number?

Mr Sterling: I might say to the member for Scarborough, who just asked if I knew the number, I know the number, and I want him to know that he is going to require my consent for this bill to become law before we go from here this afternoon.

Mr Curling: Listen, we are not here begging. This is a good bill.

Mr Sterling: If the member does not consider this a serious matter, I do.

I will predict that we will say "I told you so" next September or October, whenever we meet again, and that this government will bring in an amending bill to this bill. It is almost guaranteed, absolutely guaranteed. In fact, I have heard from various other sources that this is already in the planning.

We have asked for the regulations which are to be made under this bill. The regulations under this bill have not been drafted. The regulations under this bill are almost as important

as the legislation itself—some of them are more important. For instance, under the regulations we are going to deal with the whole issue of reports or no reports when a gun is unholstered. We are going to deal with all kinds of other issues within the regulations.

Now, the Solicitor General has been asked, "What are those regulations going to be?" As members know, the Legislature, in the form of legislation, gives a great deal of trust when it says to the government, "You can make regulations in certain areas." When this bill is passed, we give the right to cabinet to make regulations without further consultation, without any further debate in this Legislature over what is being decided unilaterally, and often, in many cases, within the bowels of the Solicitor General's ministry and usually not subject to even very much debate among the government members themselves or by politicians. We have only asked that these regulations be published or be proposed by the Solicitor General before we in fact give this final sanction in the Legislature. We have been denied that material.

I want to refer particularly to section 4. Section 4 causes a great many of the people of this province a considerable amount of concern. It relates to the right of the Solicitor General, without any kind of consultation, to force many municipalities to take up the responsibility of providing their own police forces.

Subsection 4(7) says that the Lieutenant Governor in Council can say to the township of Rideau, "You are responsible for policing tomorrow." It can say to any one of, I believe, 800 townships in this province, "You are responsible for policing tomorrow." That means to the property taxpayer an increase of somewhere around \$200 to \$250 per household. In this bill we are giving the right to the Solicitor General and the government to pass on a cost which they are presently paying in providing OPP service to many of the townships across this province. Now, there are some townships which are paying for their police servicing at this time, and I refer to the township of Kingston, which is paying for its police servicing at this time.

We know the record of this government in terms of passing down costs to municipalities. They did it with court security. They have done it in terms of the school boards by reducing their capital contribution in building schools. For instance, they have reduced in my area their contribution to the maintenance of the public school system by reducing their share of contributing to the expenses from 53% to approximately 40% of the cost. We have seen them pass down costs by asking school boards to implement more programs—half-day junior kindergarten, full-day junior kindergarten, pupil-to-teacher ratios of 20 to 1 in grades 1 and 2—but they are only paying, in the Carleton board, 40% of those costs.

I want to tell members that they are passing on costs by asking municipalities and school boards to levy against new development the costs of building those schools, hospitals and everything else, another pass-down of costs. I heard that in the city of Nepean the levy is going to be \$23,000 a lot, and that is before the school boards get involved.

I want to ask the Solicitor General and get a commitment here today that he will either take subsection 7 out or will commit his party and his government that he will not invoke subsection 7 and will not have the Lieutenant Governor in Council or the cabinet require any township to provide its own policing within the next five years.

1730

Hon Mr Offer: Perhaps I might make a few brief remarks on the remarks by the member for Carleton. First, on the question of process, which has been alluded to not only by the member for Carleton but also by the member for Welland-Thorold, I think it is important to recognize that this particular piece of legislation is the product of a great deal of consultation. It is a product of consultation, more than two years in the making. It is the product of public consultation, not only through our committee hearings but also through the Lewis task force commission, which issued a report on race relations and policing and travelled all of the province listening to many people on the whole question of policing.

This is a bill, as I indicated earlier, that is the product of consultation with members of the Police Association of Ontario, the Ontario Association of Chiefs of Police and the Municipal Police Association as well as many others.

Also, I think it is important to recognize that the bill before the Legislature containing the amendments, quite properly referred to as being close to 100 in nature, is also the product of those committee hearings, where we heard submissions from individuals who said the special investigations unit should be changed in a certain way, and we responded. We heard concerns about the public complaints system and dealing with the role of the commissioner, and we responded by amendment. We heard concerns raised by the Ontario Association of Chiefs of Police dealing with the management of the day-to-day activities, and we responded by amendment. We heard concerns about aspects of the bill by the Police Association of Ontario, and we responded through amendment.

This bill is the product not only of consultation, but also is an example of this government listening to representations and acting upon them. I think that particular aspect cannot be stated often enough or loudly enough.

The member alludes to the question of financing under the Police Services Act. I think the first point that must be made is that the sections under this Police Services Act are virtually identical with the existing Police Act. The member, I believe, is making the point that there may be variances in financing of police services within the province. The general rule is—I will oversimplify—that areas with a population of over 5,000 pay for their own policing, and areas with a population under 5,000 do not. There are variances within that. There are in this province certain jurisdictions where there is a population under 5,000 that pay for their own policing, and there are examples of jurisdictions with populations over 5,000 that do not. We recognize that. We identified those variances.

I would like to indicate to the member for Carleton that there are investigations currently. We are looking into how to address those variances, and there is also that type of inquiry now being undertaken by the Association of Municipalities of Ontario. I believe that we in the ministry, working with AMO, will be able to not only identify but address those particular issues. I believe that is a matter that deserves and will receive a great deal of consultation and a great deal of input, so that if and when that particular aspect of the bill, which is unchanged, is to be changed, it will be done as a result of a great deal of input from the municipalities, to which I believe it is our responsibility to listen and react.

Mr Sterling: Mr Chairman, you would be interested in this question. The township of Cumberland has 30,000 people in it. Is the Solicitor General going to require them to pay for their police service?

Hon Mr Offer: The question the member brings forward is exactly the issue I have already addressed. I have stated carefully and clearly that there are variances within the whole question of policing, which we are looking at. The Association of Municipalities of Ontario is also looking at this aspect. Is there a final decision made? No. Is there an acknowledgement that there are variances? Yes. We believe that working closely with AMO, working closely with all the municipalities, we can in the end result devise a policy that is fair and equitable for everyone in this province.

Mr Sterling: The bill reads, under subsection 4(7), "Subsection (1) applies to a village or township only if it has been so designated by the Lieutenant Governor in Council on the Solicitor General's recommendation; the designation may relate to all or part of the village or township."

Therefore, what we are doing here today is giving the Solicitor General the right to designate any township by fiat, or whatever you want to call it, and change dramatically the profit and tax structure in any township. If there is no intention on the part of the Solicitor General to designate any additional townships for a period of time, then I do not understand why he would need such a power. Therefore, I would ask him if he would consider an amendment that would restrict his right to designate additional townships. He would then require an amendment of this Legislative Assembly in order to undertake such a designation.

Hon Mr Offer: Pending a full review of this particular aspect, the answer is no.

Mr Sterling: So then the Solicitor General is saying to us: "Trust me. Give me the power and right after the election we'll do what we want to do." All the Solicitor General has to do is take out the power, and then I can say to my people back home or the people who represent townships in this Legislature that they are not going to be charged for policing and that their property taxes are not going to go up by \$250 per household, which is approximately the cost if you look at the figures that were supplied to the standing committee on administration of justice in the hearings. Why would he not agree to do that? Why does he require the power if he is not going to use it?

Hon Mr Offer: I have already indicated that it is not my intent to make a change to this section. I have already indicated that we do acknowledge there are variances, and I have already acknowledged that we are currently looking at the whole question of those areas found within sections 4, 5 and 6, and we are doing so in communication with the Association of Municipalities of Ontario.

Mr Sterling: I want to tell the Solicitor General that this does not affect just one or two townships in this province. It affects the township of Ameliasburg, which has over 5,000 people, if he makes that a benchmark. The benchmark seems to be 5,000 in the legislation. It affects Augusta township, which I used to represent prior to redistribution. It affects Blenheim township, which has over 6,000 people. It affects Bracebridge township, Burford township, Cambridge township, Chatham township, Charlottenburgh township, Clarence township, Cornwall township, Cumberland township, Emily township, Erin township, Ernestown township.

1740

I have only got to E so far. In other words, it is probably going to affect 60 or 70 different townships in this province if

this Solicitor General decides, with a stroke of the pen, that he wants to pass off some more costs to the municipalities.

That is the real decision we are making here today. That is why I believe we should not vote in favour of subsection 4(7) of this act. I believe that subsection should read differently and I want to propose an amendment to that section, Mr Chairman, if you will give me an opportunity to draft the same.

The Chair: Fair enough. Maybe we can go to another section and with everybody's agreement come back whenever you are ready. How much time would you need to write it?

Mr Sterling: Probably one or two minutes.

The Chair: Go ahead.

Hon Mr Offer: With the consent of the opposition members, maybe we can stand down that section, giving the honourable member time to draft it and then move on to other sections.

The Chair: Shall sections 5 to 26 carry?
All those in favour will please say "aye."
All those opposed will please say "nay."
In my opinion the ayes have it.

Sections 5 to 26, inclusive, agreed to.

Section 27:

Mr Kormos: I have four amendments to section 27. I filed them with the clerk earlier. I will deal first with subsection 27(4).

The Chair: Mr Kormos moves that subsection 27(4) of the bill be struck out and the following substituted:

"(4) The board of a municipality whose population according to the last enumeration taken under section 14 of the Assessment Act does not exceed 25,000 shall consist of,

"(a) the head of the municipal council, or another council member appointed by resolution of the council, and two other council members appointed by resolution of the municipal council."

Mr Kormos: I am going to indicate now that what I say now basically will apply to the next three amendments as well, and I will not be addressing those at length.

We have this incredible anomaly maintained by this equally unbelievable—it is certainly is an unbelievable government, but it did that to itself. We have this incredible maintenance of an injustice, of an inequity by virtue of the fact that this government wants to maintain a majority of provincial appointees on local police commissions.

It is entirely absurd that a municipality has to be fiscally responsible for its policing—this province has squeezed property taxpayers dry. They continue to do so. They are compelling property taxpayers to pay higher and higher police costs, yet they will not permit municipalities to control their police commissions.

A little bit later—very soon—I am going to be talking about an amendment to section 31 but these amendments, subsections 27(4), 27(5), 27(8) and 27(9), effectively remove the province's power to appoint people to local police commissions.

There is absolutely no rationale for it. Indeed, the presence of provincial appointees on the police commissions has been the subject matter of a whole lot of criticism by a whole lot of people for a long time. In effect these provincial appointees are political hacks; nothing more, nothing less. There is nothing about their backgrounds that makes them qualified to serve on police commissions. They do not require any special expertise

and indeed do not undergo any real screening process. In fact it is a matter not of what you know, but of which cabinet minister you know. The danger in that: Just take a look at this government's own history and realize how close it came, until members of the fourth estate raised the red flag, to appointing a guy like DelZotto to the Ontario Police Commission, a guy who is up to his neck in unique and special associations with the most unsavoury of characters.

Mr Curling: He wasn't appointed.

Mr Philip: He said how close they came. You ought to learn. You didn't listen.

Mr Kormos: That is right. We are talking about provincial appointments to police commissions. We are talking about a character like DelZotto, where the prospect of a guy like DelZotto being appointed to the Ontario Police Commission had filtered down to New York City. It had already filtered down to police officers working with organized crime in New York City. DelZotto was that close to one of these political appointments. It is only because a hue and cry was raised by a press person, by a newspaper reporter, that this government backed off and the DelZotto appointment was nipped in the bud.

That is precisely the point we are getting at with these kinds of amendments. This government wants to perpetrate a system where ne'er-do-wells, gangsters, hoods could be appointed by virtue of the political appointment process, where gangsters and hoods could be appointed to local police commissions. Local police commissions have no control over it. It is the familiarity of that particular character with a cabinet minister that would determine whether or not he or she was appointed to a police commission.

Dr Philip Stenning, a criminologist of some significant note at the University of Toronto, back in September 1988 released a study. That study clearly showed that these provincial appointments to police commissions are really political appointments, rather than based on any serious discussion or merit.

If you are interested in a seat on Niagara's police commission, it helps to know a provincial cabinet minister. There is almost no formal investigation done into a potential appointee's background, other than a criminal record check. No systematic monitoring of appointees is undertaken by provincial authorities following their appointment.

It was argued in front of the standing committee on administration of justice that this provincial appointment power permits the province to place people on local police commissions to give those police commissions balance. Poppycock. The fact is that electors, voters in a given municipality, when they elect their municipal officials are perfectly capable, and rightly so, of electing officials, municipal representatives or regional representatives who reflect the makeup, the character and the quality of that community.

The maintenance of provincial appointees on police commissions is simply unacceptable to democratically minded people in the province. It is an archaic, anachronistic process that should be abolished. This amendment makes police commissions the democratic bodies, the representative bodies that they should be.

Hon Mr Offer: I have just a short comment on those amendments. In response I really am speaking to not only the one amendment the honourable member has brought forward, but I believe, in fairness, there are four amendments, all in section 27. Certainly we are against these amendments. I think we have to recognize the role that the local boards of commissioners of police will provide for policing in the community. In

this province we now have basically the same makeup of the boards as already exists, and what we want to do is not only extend that but build upon the success that the local boards of commissioners of police have had in dealing with policing in their area.

1750

As such, I see this as going in absolutely the other direction. I want to build upon the good work done by so many members of the local police board, municipal appointees and provincial appointees alike, and I would be voting against all four of those amendments that the member has brought forward.

Motion negatived.

The Chair: Mr Kormos moves that subsection 27(5) of the bill, as reprinted, be struck out and the following substituted:

“(5) The board of a municipality, other than a regional or metropolitan municipality, whose population according to the last enumeration taken under section 14 of the Assessment Act exceeds 25,000 shall consist of,

“(a) the head of the municipal council, or another council member appointed by resolution of the council; and four other council members appointed by resolution of the council.”

Mr Kormos: I would make the comments I made with respect to my first amendment, and that is to say, this gets rid of the political hacks who do nothing and know even less from local police commissions.

Mr Sterling: I do not know if it would make it any more palatable for the Solicitor General, but I understand the dilemma always in terms of the control of these police boards, because you are caught between a situation of financial control and you want to maintain a certain distance from the municipal council in terms of police matters.

I do wonder, however, in the case of municipalities where there are more than 25,000, if there is any room that you might be able to give actual control of a majority to the large municipalities.

I still believe, contrary to the member who has introduced this amendment, that there is a need to have an outside influence on the board in terms of the appointment process. Therefore, my preference, quite frankly, would have been to have three members of council and two members appointed by the Lieutenant Governor in Council. That would assure perhaps that the chairman of the police commission was to be controlled by the municipal council rather than by the Ontario government.

Before I vote on this amendment, I would like to hear the response of the Solicitor General in this regard. You will note, Mr Chairman, I did not make the same comment with regard to the previous situation, because I think there is a difference in terms of the size and the sophistication of the police force and I believe that in smaller police forces in smaller communities there probably still is a good argument to leave two members to be nominated by the Lieutenant Governor.

The Chair: Solicitor General, any comments?

Hon Mr Offer: I would be in favour of such a motion.

The Chair: Are we ready to vote on this?

Motion negatived.

The Chair: Mr Kormos moves that subsection 27(8) of the bill be struck out and the following substituted:

“(8) The board of a regional or metropolitan municipality shall consist of five council members appointed by resolution of the council.”

Mr Kormos: The arguments that I made with respect to the first amendment with respect to police commissions is applicable to this one. The fair-minded and democratically minded people of the chamber will support the amendment.

Motion negatived.

The Chair: Mr Kormos moved that subsection 27(9) of the bill be struck out and the following substituted:

“(9) The council of a regional or metropolitan municipality whose population according to the last enumeration taken under section 14 of the Assessment Act exceeds 300,000 may apply to the Lieutenant Governor in Council for an increase in the size of its board; if the Lieutenant Governor in Council approves the application, the board shall consist of,

“(a) the head of the council, or another council member appointed by resolution of the council; and

“(b) six other council members appointed by resolution of the council.”

Mr Kormos: My arguments are the same. This gets rid of the political hacks on police commissions.

Motion negatived.

Section 27 agreed to.

Sections 28 to 30, inclusive, agreed to.

The Chair: We will go back to the member for Carleton's proposed amendment to section 4.

Mr Sterling moves that subsection 4(7) be amended by adding the words “as at 1 June 1990” after the word “recommendation” in the third line of the subsection.

Mr Sterling: This relates to my concern which I talked about before, in that the present act, subsection 4(7), permits the Solicitor General to impose a tremendous property tax burden on many, many homes across this province. If he does that unilaterally, without ever coming back to this Legislature to ask what our opinion about that might be, I mentioned in my remarks a few moments ago that there are a number of townships across this province that come over the threshold of 5,000 in population but are being supplied with police protection by the Ontario Provincial Police. Those taxpayers are not paying directly through their property taxes for those services. They are paying, as the rest of the residents of Ontario do, through their income taxes, through their sales tax and through all other kinds of taxes.

All I am asking the Solicitor General to do is to freeze the situation as of today as to what is going to happen with regard to this whole matter. I do not want him to be able to say to the township of Cumberland or the township of Goulbourn or the township of Rideau or the township of Osgoode or the township of West Carleton: “You're going to be responsible for policing tomorrow, property taxpayers. It's going to cost you \$200 or \$250 tomorrow.”

1800

Saturday morning, I am going to be meeting with a number of residents from the township of West Carleton who are going to be asking the Solicitor General for more police protection in that area. The Ontario Provincial Police have been providing as much police protection as they can in the past with the budget that they have been allocated, but there has been a tremendous

amount of growth in that area. On Saturday morning I am going to be meeting with Betty Ann Smith from the township of West Carleton and she is going to give me a petition with 839 names to ask the Solicitor General for more police protection in that area.

If we pass this act today, what we are saying is that if Betty Ann Smith and those other 838 residents of West Carleton ask for more police protection, we are going to have the Solicitor General come back and say, "Okay, you can have more police protection, but you're going to have to pay for it all," and that is what this section is all about.

Therefore, I would ask the members to be fair to the townships which are now being provided with OPP protection. If this Solicitor General or this government wants to put yet another tax burden on the municipal property taxpayer, they should fess up, come back here and ask the Legislative Assembly for its approval in order to do this. That is what my amendment is all about.

The Chair: Would there be unanimous consent, now that it is 6 o'clock, to just dispose of this one amendment here before we rise and report?

Mr Philip: We have some more amendments and I believe the minister is going to ask for some extended time.

The Chair: Yes. Right now, I am just trying to finish this proposed amendment that we have started to debate, just this one alone, because afterwards we have to rise and report and ask for unanimous consent for the House to continue.

Mr Kormos: I have an amendment to section 31.

The Chair: We will have to deal with that once the committee rises. Is there unanimous consent to dispose of this one section here?

Agreed to.

The Chair: Is it the pleasure of the committee that the motion carry?

Motion negatived.

Section 4 agreed to.

On motion by Mr Ward, the committee of the whole House reported progress.

Hon Mr Ward: I seek unanimous consent that the House continue to sit past 6 o'clock.

Agreed to.

Mr Sterling: I would like a time limitation put on it. We will probably agree to time allocation at a later time, but it is always better to have a time when we are going to have to face this issue once again.

The Deputy Speaker: The government House leader has mentioned 6:30. Is there unanimous consent for 6:30?

Agreed to.

LEGAL PROFESSION STATUTE LAW AMENDMENT ACT, 1989

Mr Polsinelli, on behalf of Mr Scott, moved third reading of Bill 45, an Act to amend the Law Society Act and the Solicitors Act.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

Some hon members: No.

The Deputy Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

THIRD READINGS

The following bills were given third reading on motion:

Bill 164, An Act to amend the Law Society Act with respect to Insurance;

Bill 150, An Act to amend the Vital Statistics Act;

Bill 215, An Act to amend the Construction Lien Act;

Bill 220, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act;

Bill 225, An Act to amend the Landlord and Tenant Act with respect to Animals.

Hon Mr Ward: I would seek unanimous consent to call third reading on Bills 105, 160 and 175.

The Deputy Speaker: Is there unanimous consent?

Mr Sterling: Just a minute.

The Deputy Speaker: I do not hear unanimous consent.

Mr Sterling: Just give me an opportunity to see what they are.

Hon Mr Ward: Mr Speaker, earlier in the afternoon we dealt in committee of the whole House and ordered for third reading An Act to amend certain Acts in relation to Ontario Home Ownership Savings Plans, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor, and An Act to amend the Tobacco Tax Act.

The Deputy Speaker: Is there agreement?

Agreed to.

THIRD READINGS

The following bills were given third reading on motion:

Bill 105, An Act to amend certain Acts in relation to Ontario Home Ownership Savings Plans;

Bill 160, An Act to amend the Tobacco Tax Act;

Bill 175, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor.

House in committee of the whole.

1810

POLICE SERVICES ACT, 1990 (continued)

Consideration of Bill 107, An Act to revise the Police Act and amend the law relating to Police Services.

Section 31:

The Chair: We are now ready to discuss proposed amendments to section 31.

Mr Kormos moves that section 31 of the bill be amended by adding the following subsection:

"(3b) Notwithstanding subsection 3a, the board shall:

"(i) Direct the chief of police to alter or implement any practice or procedure;

"(ii) Direct the chief of police to conduct an investigation into any matter relating to police practices or procedures of the police force or of any member or members thereof;

"(iii) Establish guidelines for the allocation of police personnel and equipment in specific situations;

"(iv) Establish guidelines for the use of specific law enforcement techniques pertaining to investigation of offences, arrest and detention of suspects, seizure and detention of property, use of force or any other aspect of law enforcement;

"(v) Ensure that the guidelines referred to in paragraphs (iii) and (iv) above, are complied with in specific situations, and direct the chief of police to rectify any specific breach of these guidelines;

"(vi) Give any lawful directions or establish any lawful guidelines which it reasonably considers necessary or proper for the execution of its duties under subsection 1;

"(vii) Monitor the performance of any police officer or officers, police division or special squad;

"(viii) Direct the chief of police to require that any police officer or officers provide such information to the board as the board may require, in such manner as the board deems appropriate."

Mr Kormos: This is a considerable amendment to the bill. It does what the government refuses to do. The government, in its Bill 107, places great responsibility on municipalities to fund the policing of their communities. But by virtue of amendments that it made to its own bill, and, as the Solicitor General knows, I am not talking about Bill 145; I am talking about Bill 107, I am talking about section 31 of Bill 107 and subsection 3a of section 31. This basically cuts the legs and the arms off a local police commission; it plucks its eyes out and rips out its tongue. It does.

Section 3a, which is an amendment to the bill presented by the government, says that, "The board shall not direct the chief of police with respect to specific operational decisions or with respect to the day-to-day operation of the police force." It says the board "shall not." It prohibits the police commission from giving direction to the chief of police with respect to the day-to-day operation of the police force.

This government, these Liberals do not want to see police commissions consisting of democratically elected members of municipal councils or regional councils. They do not want to see that. They want to see police commissions dominated by political hacks who have no expertise, no standards for their appointment and no accountability. I suppose it is a matter of wishing: this government wishes that it had no accountability.

We do not agree with that. We think boards that spend taxpayers' money, governments that spend taxpayers' money, councils that spend taxpayers' money should be elected and should be accountable. Again, this government, these Liberals can wish all they want to eliminate accountability, but they are going to be accountable. These Liberals, the Premier and his gang, are going to be accountable come their election call in September, let me tell members. Broken promise after broken promise and now the stench of corruption permeating their party and their government.

They require police commissions and then they tell the police commission that it cannot be involved in the day-to-day operation of the police. It is not that the police commissions should or want to be involved personally in the day-to-day operation. We are not talking about police commissioners going out there so they can make it on the 6 o'clock news busting up a

crack den, but we are talking about police commissioners surely having the authority to give direction to the chief of police with respect to the day-to-day operation of the force.

The government would then come back and argue that subsection 31(1) is what gives the board extensive powers. Subsection 31(1) does not quite do that. It says, "A board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality." How can it be responsible for police services and for law enforcement and crime prevention if it cannot provide direction to the chief of police? It is ridiculous. It says the board shall:

"(a) appoint the members of the municipal police force;

"(b) generally determine, after consultation with the chief of police—we are not concerned about that; the chief of police should be consulted with in this respect—"objectives and priorities with respect to police services in the municipality;

"(c) establish policies for the effective management of the police force;

"(d) recruit and appoint the chief of police and any deputy chief of police, and annually determine their remuneration...;

"(e) direct the chief of police and monitor his or her performance."

As I say, the government would tend to hide behind that and argue that it does something very specific, that it gives the commission powers when in fact it does not, because the government at the same time has said that the board shall not direct the police with respect to day-to-day operations.

That is just unacceptable. It is unacceptable to ratepayers in communities across Ontario who have to pay for policing services and insist that their commissions have the ability to oversee what their police force is doing on a day-to-day basis. I mean, these ratepayers insist on that. I tell members that what this amendment does is it permits the board to do its duties, and again not in an uncontrolled and in just an overall sense without any conditions, without any restrictions, without any guidelines whatsoever.

What this amendment does is very much complements subsection 1. It gives some real meaning to subsection 1 in the way that the government's amendment in subsection 3a takes away meaning. It says, one, that the commission can "Direct the chief of police to alter or implement any practice or procedure." That is not offensive. Indeed, that should be mandatory to any fair-minded person.

1820

Two, "Direct the chief of police to conduct an investigation into any matter relating to police practices or procedures of the police force." How is that in any way offensive? Surely that is within the ambit, within the scope, within the general control and ought to be within the general control of a local police commission.

Three, "Establish guidelines for the allocation of police personnel and equipment in specific situations." Let's give an example. Let's illustrate how that could well have an effect. If a community has problems, let's say, as communities in this province do, because this government has sat on its hands and has kept on putting its feet in its mouth with respect to the war against drugs. If a government is engaged in a real war on drugs, then the government, one would think, would give powers to a local police commission to make sure that that police commission had the power to direct its personnel, its forces, to the detection of drug traffickers, drug pedlars and the ilk. Or is this government really not interested in police forces being locally responsible and police forces being able to tailor

their areas of work and enforcement and their specific areas of attention to the needs of that community?

This amendment permits the board to establish guidelines for the allocation of personnel as well as establishing guidelines for the use of specific techniques. Surely it is a local board that is best capable of knowing whether certain techniques, whether certain types of surveillance should be used, whether that community wants to utilize certain techniques of law enforcement for the investigation or indeed arrest or detention of suspects, for the seizure and detention of property or for the use of force. Of course, that is something that this Solicitor General ought to have heard a great deal about during the course of the briefest of submissions to him during the committee hearings.

These guidelines are ones that give some meat back into the bill when it comes to police commissions, guidelines that give some substance to local accountability for a police force, notwithstanding that this government is not prepared to make police commissions accountable. They give effect to the preamble of this bill, to section 1, and we talked about that already.

Unless this government is simply being thoroughly deceitful and dishonest in its approach to the police bill, it would recognize that this amendment flows from recommendations made to its justice committee. How the Solicitor General can sit and then stand here talking about how responsive he is to proposals and propositions made to the committee is beyond me, because this amendment to section 31 is specifically what was urged upon him by a number of participants in his committee hearing process.

It is time for the Solicitor General to display some candour and indeed either start to generate in this speeded-up and rapid process some honesty in this bill, or tell us now that all this is a ruse to avoid being hammered as he was month after month with criticism for his lack of action in policing in this province.

Hon Mr Ward: Mr Chairman, I wonder if the member for Welland-Thorold would yield the floor so that we could rise and report for the purpose of calling a 15-minute recess.

On motion by Mr Ward, the committee of the whole House reported progress.

Hon Mr Ward: Mr Speaker, I seek unanimous consent that the House continue to meet until 7 o'clock and that it now recess for 15 minutes.

Agreed to.

The House recessed at 1825.

1840

House in committee of the whole.

POLICE SERVICES ACT, 1990 (continued)

Consideration of Bill 107, An Act to revise the Police Act and amend the law relating to Police Services.

Section 31:

The Chair: We were discussing section 31. The principal person concerned, I have been told, will be here any second now.

Mr Kormos: I am so pleased to have been able to make this amendment, to have been able to put it before this assembly. I know that government members who are aware of the significance of Bill 107, who are aware of the impact it will

have on communities across Ontario, their police officers and citizens, I know that fairminded, clear-thinking members of this assembly will support this amendment.

The Chair: Thank you. Is there any more discussion on the proposed amendment to section 31? Are we ready for the vote? Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 31 agreed to.

Sections 32 to 44, inclusive, agreed to.

Section 45a:

Mr Philip: Mr Chairman, on section 45a, our party has argued that this government has deprived the civil servants, the public servants of this province, of their rightful democratic right to participate freely in a political way in our society.

The Liberal government, or the Liberal Party in opposition, argued for that same right, and now the union representing those public servants has had to take its own government to court, at considerable expense to the taxpayers, to show that it has the right to participate in a way that any other citizen has.

It would be very inconsistent for me, having supported other public servants, not to support the right of the police officer to engage freely in political activities. Therefore, I will oppose 45a which says, "No municipal police officer shall engage in political activity, except as the regulations permit." I could support that amendment if the minister were specific as to what those particular regulations were. But I cannot support a blind amendment that will restrict the political activities of anyone in this province, and certainly not of a police officer, a public servant or any other person. So I will be voting against this section.

Mr Kormos: This issue was raised during the course of some of the submissions to the justice committee. It was raised with the delegation, the Ontario Federation of Labour. It seemed to have a heck of time understanding why a government would want to forbid police personnel, on their own time, engaging in political activity. That would seem to be a right.

At the same time, this Solicitor General sits on his hands and does nothing about the button-wearers of Peel who, not on their own time, not in their private lives, but while they are uniformed police officers, would appear to be making some very strong political statements by virtue of the buttons indicating their support for two criminally charged officers. It is incredible that once again the Solicitor General would want to suck and blow at the same time. I am wondering if he could explain the rationale behind section 45a.

Hon Mr Offer: I am pleased to do so. Currently under the Police Act, there is a section that talks to political activity. I think that particular section of the Police Act is founded in section 62. Basically, that particular section states that no member of the force shall take any part in politics or occupy an official position in a party organization, and it goes on.

I think it is important to recognize that this particular section only applies to the OPP. Let me say, just before I go on to the existing legislation, that there is an ad hoc arrangement around the province dealing with the political activity which is allowed and which is not allowed for municipal or regional police forces. We believe that what we want to do is seek to

move towards uniformity for municipal, regional and OPP officers alike. That is what section 45a is designed to accomplish. It is designed to say that no municipal police officer shall engage in political activity except as regulations permit.

This, I must stress, is the result of a great deal of consultation. There is not at this point in time a regulation drafted. I can share with you the intent as to what those regulations will state. There is an acknowledgement that there is a need to limit certain types of political activity, such as soliciting funds while in uniform. There is an obvious need to limit some of the political activity which officers can do. That is what this section is designed to do. It is designed not only to accomplish that but to accomplish it in a sense of uniformity and consistency across the province for all officers, regional, municipal and OPP alike.

Mr Philip: I do not want to prolong this, and we can take the vote, but if the government had really had those kinds of good intentions, it would have shown that vis-à-vis the public servants of this province and not require them to take the government to court. Therefore, I say to you, Mr Chairman, that the government does not have a good track record on this. It has broken election promises to its own public servants. Until I see the regulations, I cannot vote for it. I will be voting against it.

1850

The Chair: Shall section 45a carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 45a agreed to.

The Chair: I should also go back to 45. Shall section 45 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 45 agreed to.

The Chair: I guess 46 has been dropped.

Hon Mr Offer: That is the renumbering.

Sections 47 and 48 agreed to.

Section 48a:

The Chair: Mr Philip moves that the bill be amended by renumbering section 48a as 48b, and by adding the following section:

"48a (1) A member of the police force whose religious beliefs require him or her to wear religious symbols is entitled to wear them while on duty.

"(2) In this section, 'wearing religious symbols' includes the wearing of a particular form of dress or personal ornament and dressing one's hair or beard in a particular way."

Mr Philip: This amendment stems directly from representations that we had before the committee, from representations that I have made in the Legislature over a number of years and indeed from the Lewis task force. On page 84, recommendation 10 calls for it.

I recognize that a number of police forces, including my own police force in Metropolitan Toronto, have already adopted policies that allow for this. I just think that when we are passing a provincial police bill we should ensure the right of various people who have come to Canada and who have a tradition, for religious reasons, of wearing certain dress—that they should be

permitted to do so, as the federal government has allowed with its police force, as indeed the armed services have allowed in a number of democratic countries and as Mr Lewis, in his task force, has recommended.

Hon Mr Offer: I have a short comment on this. I recognize how important this particular section is. I would like to indicate that certainly we are in favour of the direction of this particular amendment. We will not be voting for it. We say that this type of intent, which is founded within 48a, is one which is going to be with regulation. We believe that by regulation we can address these issues and other issues in a more comprehensive and ongoing manner.

Mr Philip: As usual, this government likes to hide behind its regulatory system. This is clearly what its own expensive task force has recommended. This is clearly what we have had representations on, and indeed as with the previous section which I just discussed, section 45, there may well be court challenges on this matter.

I say that in a pluralistic society we have an obligation, particularly since under this legislation we are advocating employment equity programs in order to recruit people from the various communities to participate as police officers. This will give some assurance to certain communities so that they can feel comfortable as members of our police forces and that we can be proud to have them as members of our police forces. All it is doing is saying to the rest of the province: "Look, certain municipalities—Mississauga or Peel, Metro Toronto—have adopted these policies, as has our federal police force. Let's do it clean across the province. Let's make these people feel comfortable in police forces wherever they are, in whatever municipality of Ontario." I urge the minister to reconsider.

The Chair: Is it the pleasure of the House that Mr Philip's amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 48a agreed to.

Sections 50 to 71, inclusive, agreed to.

Section 72:

Mr Philip: I simply want to vote against it. It is consistent with what I said in my main amendment which was defeated.

Section 72 agreed to.

Sections 73 to 132, inclusive, agreed to.

Section 133:

The Chair: Mr Philip moves that part IX of the bill be amended by adding the following section:

"133b (1) During the 12-month period following the second anniversary of the coming into force of this act, the standing committee on administration of justice shall conduct a comprehensive review of this act and its operation.

"(2) On or before the third anniversary of the coming into force of this act, the standing committee on administration of justice shall present to the Legislative Assembly its report on the review together with its recommendations for amendments to the act."

Mr Philip: The reasons for this are many. In the first place, it has been pointed out, not just by deputations but also by

members of this House, that some of the major decisions are contained in section 133 of the bill; namely, that the regulatory section of the bill will be coming forward with the major decisions that are affecting people in the operation of their police forces.

We have had a bill that was introduced on 20 December 1989 that did not go to committee or was not called by this government until only a few weeks ago. We had hearings but no discussion of the bill in committee. We have had over 100 amendments to deal with in two hours today, and the committee did not have hearings out there in the communities where the people are going to be directly affected by this.

If this bill is such a great bill, as the minister says and as the government is promoting, then he would have no hesitation in supporting my amendment, for no doubt in three years' time, when there is a review of this bill, the government will come out smelling of roses then because it will be working well and he will get plenty of applause in the communities.

If, on the other hand, as would normally be expected in a bill that is as complicated and as complex as this, there are some concrete suggestions on how to improve the bill as a result of the experience in the community, the standing committee on the administration of justice would have an opportunity to make recommendations on that.

This is not a sunset clause, which I originally was going to introduce; namely, that the bill would self-destruct in three years if it was not reintroduced and therefore have a new debate on it. It is merely a much more conservative request for a review of the bill after three years.

The members will recall that when the first bill was introduced by Mr McMurtry it was anticipated there would be a complete review after three years. That review did not happen. We now have this bill, which basically is going to apply the Metropolitan Toronto model to the rest of the province and it seems apropos that after at least three years we have some guarantee that there will be a review of how this act is working. I ask the members to support this.

1900

Hon Mr Offer: Just a short comment: I think we have to recognize that this Police Services Act, and I have said it before, is the product of many years of consultation. It has brought into play many of the representatives of the policing community—the Police Association of Ontario, the Ontario Association of Chiefs of Police, the municipal police authority. It has, through a number of ways, brought in the general public to comment on what their vision is of policing in the 1990s and into the 21st century.

I believe that this piece of legislation will continue to be the recipient of a great deal of consultation. That has been our commitment to many of the individuals who are so involved and so impacted upon with policing in this province. I am going to vote against this section, but I want to indicate that it is our intention that there shall always be ongoing consultation on this police bill, on the sections under this police bill as it impacts on the people of this province.

Mr Sterling: I was not going to speak until the Solicitor General tempted me to do so. I heard those exact same arguments at about this time last year by the Attorney General when we were dealing with Bill 2 and Bill 3, where he said he went through consultation for a year and a half on the Zuber report before going ahead with court reform.

I want to tell the members that in the fall of last year, we had to deal with two more bills to amend the court reform

bills. I do not understand why the Solicitor General is concerned about this, because as sure as I am standing here and will be standing here in the fall, we will be dealing with this matter once again. If he had an objection to what the member for Etobicoke-Rexdale put forward, then he could deal with it at that time.

I do not see any problem. The fact of the matter is that police reform has been a long time coming and I think a regular review would not be a bad section to include.

The Chair: I know we have gone beyond the time. Is there unanimous consent to take about one more minute to finish this?

Agreed to.

The Chair: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negated.

The Chair: Shall sections 133 and 133a carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Sections 133 and 133a agreed to.

Sections 134 to 148, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Mr Ward, the committee of the whole House reported one bill with certain amendments.

Hon Mr Ward: I would like to seek unanimous consent to continue to sit for another 10 minutes or so and also unanimous consent to call the order for third reading of Bill 107.

Agreed to.

COMMITTEE BUSINESS

Hon Mr Ward: The motions to be presented relate to committee activity during the recess.

Mr Ward moved resolution 36:

That the order of the House of 20 December 1989 appointing the select committee on constitutional and intergovernmental affairs, as amended by an order of the House of 20 March 1990, be further amended by striking out all the words following "appointed" in the second line up to and including the word "reform" in the third line and inserting "to consider and report on alternatives that would provide for more effective processes for future constitutional discussions" and by striking out all the words following "Canada" in the sixth line up to and including the words "October 15, 1990" in the tenth line.

Motion agreed to.

COMMITTEE SITTINGS

Mr Ward moved resolution 37:

That the following committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly to examine and inquire into the following matters:

Select committee on constitutional and intergovernmental affairs to consider matters relating to its terms of reference;

Select committee on education;

Select committee on energy to adjourn to Washington, DC, and New York City, New York, to consider bilateral and international approaches to implementation of public policy regarding climate change;

Special committee on the parliamentary precinct to meet from time to time at the call of the co-Chairs of the committee to consider matters related to the restoration of the Parliament Building;

Standing committee on finance and economic affairs be authorized to adjourn from place to place in North America to investigate comparative investment opportunities in Ontario and bordering American states;

Standing committee on government agencies to adjourn to Washington, DC to meet with officials of the Administrative Conference of the United States;

Standing committee on the Legislative Assembly to adjourn to Nashville, Tennessee, to attend the annual meeting of the National Conference of State Legislators and to consider matters relating to freedom of information and protection of individual privacy;

Standing committee on regulations and private bills to consider matters relating to the regulations process;

Standing committee on resources development to consider Bill 96, An Act to amend the Highway Traffic Act.

Hon Mr Ward: I have an amendment to government notice of motion 37.

Mr Ward moved that resolution 37 be amended by deleting the words "and tabled with the Clerk of the assembly" in the third and fourth lines, and adding the following paragraph "Standing committee on public accounts to consider the annual reports of the Provincial Auditor" at the end.

Motion, as amended, agreed to.

Mr Ward moved resolution 38:

That with the agreement of the House leader and chief whip of each of the recognized parties, committees may meet during the summer adjournment at times other than those specified in the schedule tabled today with the Clerk of the assembly to consider matters referred to them by the House or to consider matters designated pursuant to standing order 123.

Mr Ward moved that resolution 38 be amended by deleting the following words in the third and fourth lines, "at times other than those specified in the schedule tabled today with the Clerk of the assembly."

Motion, as amended, agreed to.

COMMITTEE REPORTS

Mr Ward moved resolution 39:

That committees be authorized to release their reports during the summer adjournment by depositing a copy of any report with the Clerk of the assembly, and upon the resumption of the meetings of the House, the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

Motion agreed to.

THIRD READING

The following bill was given third reading on motion:

Bill 107, An Act to revise the Police Act and amend the law relating to Police Services.

Hon Mr Ward: I believe that His Honour awaits for royal assent.

1910

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Journals: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 45, An Act to amend the Law Society and the Solicitors Act;

Bill 105, An Act to amend certain Acts in relation to Ontario Home Ownership Savings Plans.

Bill 107, An Act to revise the Police Act and amend the law relating to Police Services;

Bill 144, An Act to amend the Ontario Lottery Corporation Act;

Bill 150, An Act to amend the Vital Statistics Act;

Bill 160, An Act to amend the Tobacco Tax Act;

Bill 164, An Act to amend the Law Society Act with respect to Insurance;

Bill 175, An Act to revise the Liquor Licence Act and to amend the law relating to Liquor;

Bill 177, An Act respecting the Amalgamation of certain Municipalities in the County of Simcoe;

Bill 215, An Act to amend the Construction Lien Act, 1983;

Bill 220, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act;

Bill 225, An Act to amend the Landlord and Tenant Act with respect to Animals;

Bill Pr59, An Act respecting Sioux Lookout District Health Centre;

Bill Pr65, An Act respecting the Township of Plympton;

Bill Pr68, An Act respecting the Township of Front of Leeds and Lansdowne;

Bill Pr70, An Act respecting the Human Resources Professionals Association of Ontario;

Bill Pr78, An Act respecting the City of Mississauga;

Bill Pr87, An Act to revive The Empire Club Foundation;

Bill Pr88, An Act respecting the Town of Niagara-on-the-Lake;

Bill Pr90, An Act respecting St George's Society of Toronto;

Bill Pr92, An Act respecting the City of Thunder Bay;

Bill Pr93, An Act to revive Dinorwic Metis Corporation;

Bill Pr97, An Act respecting the City of Kingston and the townships of Kingston, Pittsburgh and Ernestown.

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

LEGISLATIVE BUILDING STAFF

Mr Sterling: On a point of order, Mr Speaker: I would like, on behalf of my party, to thank the staff, the clerks, the pages, the security staff and everyone else who has extended their hospitality to us by staying late this evening. It was unfortunately necessary as we thought it was necessary to debate the bills with some earnestness. We also thank you for your patience in extending the hours and dealing with these things. I think the support staff have been very good in helping us out this evening.

Hon Mr Ward: On that point, I would also like to add a special acknowledgement to those distinguished Ontario citizens who were waiting to receive their Ontario citizenship medals tonight, and of course the security people and all the people around here who make this place work under difficult circumstances sometimes.

The Speaker: According to our standing orders, this is the end of our spring calendar. I would like to wish every member a healthy, happy, restful summer, and of course, according to the standing orders this House now stands adjourned until 1:30 of the clock on 24 September.

The House adjourned at 1916.

ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexender, PC, QC

Name of member	Constituency	Party	Other responsibilities
Adams, Peter	Peterborough	L	Parliamentary assistant to the Minister of the Environment
Allen, Richard	Hamilton West	NDP	
Ballinger, William G.	Durham-York	L	Parliamentary assistant to the Minister of Municipal Affairs
Beer, Hon Charles	York North	L	Minister of Community and Social Services, minister responsible for francophone affairs
Black, Hon Kenneth H.	Muskoka-Georgian Bay	L	Minister of Tourism and Recreation, minister responsible for the provincial anti-drug strategy
Bossy, Maurice L.	Chatham-Kent	L	Parliamentary assistant to the minister without Portfolio responsible for disabled persons
Bradley, Hon James J.	St Catharines	L	Minister of the Environment
Brandt, Andrew S.	Sarnia	PC	
Breaugh, Michael J.	Oshawa	NDP	First Deputy Chair of the Committee of the Whole House
Brown, Michael A.	Algoma-Manitoulin	L	
Bryden, Marion	Beaches-Woodbine	NDP	
Callahan, Robert V.	Brampton South	L	
Campbell, Sterling	Sudbury	L	
Caplan, Hon Elinor	Oriole	L	Minister of Health
Carrothers, Douglas A.	Oakville South	L	Parliamentary assistant to the Minister of Industry, Trade and Technology
Charlton, Brian A.	Hamilton Mountain	NDP	
Chiarelli, Robert	Ottawa West	L	
Cleary, John C.	Cornwall	L	Parliamentary assistant to the Minister of Agriculture and Food
Collins, Hon Shirley	Wentworth East	L	Minister without Portfolio responsible for disabled persons
Conway, Hon Sean G.	Renfrew North	L	Minister of Education, Minister of Colleges and Universities, Minister of Skills Development
Cooke, David R.	Kitchener	L	Parliamentary assistant to the Minister of Citizenship
Cooke, David S.	Windsor-Riverside	NDP	House leader
Cordiano, Joseph	Lawrence	L	
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	
Cureatz, Sam L.	Durham East	PC	Second Deputy Chair of the Committee of the Whole House
Curling, Alvin	Scarborough North	L	Parliamentary assistant to the Minister of Intergovernmental Affairs
Daigeler, Hans	Nepean	L	Parliamentary assistant to the Minister of Revenue
Dietsch, Michael M.	St Catharines-Brock	L	Parliamentary assistant to the Minister of Labour
Eakins, John F.	Victoria-Haliburton	L	
Edighoffer, Hon Hugh A.	Perth	L	Speaker
Elliot, R. Walter	Halton North	L	Parliamentary assistant to the Minister of Housing
Elston, Hon Murray J.	Bruce	L	Chairman of the Management Board of Cabinet, Minister of Financial Institutions
Epp, Herbert A.	Waterloo North	L	
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Michael	Cambridge	NDP	
Faubert, Frank	Scarborough-Ellesmere	L	
Fawcett, Joan M.	Northumberland	L	Parliamentary assistant to the Minister of Skills Development
Ferraro, Rick E.	Guelph	L	Parliamentary assistant to the Minister of Financial Institutions

Name of member	Constituency	Party	Other responsibilities
Fleet, David	High Park-Swansea	L	Parliamentary assistant to the Minister without Portfolio responsible for women's issues
Fontaine, Hon René	Cochrane North	L	Minister of Northern Development
Fulton, Ed	Scarborough East	L	Parliamentary assistant to the Minister of Tourism and Recreation
Furlong, Allan W.	Durham Centre	L	
Grandmaître, Bernard C.	Ottawa East	L	Parliamentary assistant to the Minister of Health
Grier, Ruth A.	Etobicoke-Lakeshore	NDP	
Haggerty, Ray	Niagara South	L	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Hampton, Howard	Rainy River	NDP	
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hart, Christine E.	York East	L	
Henderson, D. James	Etobicoke-Humber	L	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Hošek, Chaviva	Oakwood	L	Parliamentary assistant to the Chairman of Management Board of Cabinet
Jackson, Cameron	Burlington South	PC	
Johnson, Jack	Wellington	PC	
Johnston, Richard F.	Scarborough West	NDP	
Kanter, Ron	St Andrew-St Patrick	L	
Kerrio, Vincent G.	Niagara Falls	L	
Keyes, Kenneth A.	Kingston and The Islands	L	Parliamentary assistant to Minister of Education
Kormos, Peter	Welland-Thorold	NDP	
Kozyra, Taras B.	Port Arthur	L	Parliamentary assistant to the Minister of Northern Development
Kwinter, Hon Monte	Wilson Heights	L	Minister of Industry, Trade and Technology
Laughren, Floyd	Nickel Belt	NDP	
LeBourdais, Linda	Etobicoke West	L	
Leone, Laureano	Downsview	L	Parliamentary assistant to the Minister of Culture and Communications
Lipsett, Ron	Grey	L	Parliamentary assistant to the Minister of Energy
Lupusella, Tony	Dovercourt	L	Parliamentary assistant to the Minister of Government Services
MacDonald, Keith	Prince Edward-Lennox-South Hastings	L	
Mackenzie, Bob	Hamilton East	NDP	
Mahoney, Steven W.	Mississauga West	L	
Mancini, Hon Remo	Essex South	L	Minister of Revenue
Marland, Margaret	Mississauga South	PC	
Martel, Shelley	Sudbury East	NDP	
Matrundola, Gino	Willowdale	L	
McCague, George R.	Simcoe West	PC	
McClelland, Carman	Brampton North	L	
McGuigan, James F.	Essex-Kent	L	Parliamentary assistant to the Minister of Agriculture and Food
McLean, Allan K.	Simcoe East	PC	
McLeod, Hon Lyn.	Fort William	L	Minister of Energy, Minister of Natural Resources
Miclash, Frank	Kenora	L	
Miller, Gordon I.	Norfolk	L	Parliamentary assistant to the Minister of Transportation
Morin, Hon Gilles E.	Carleton East	L	Minister without Portfolio responsible for senior citizens' affairs
Morin-Strom, Karl E.	Sault Ste Marie	NDP	
Neumann, David E.	Brantford	L	
Nicholas, Cindy	Scarborough Centre	L	Parliamentary assistant to the Solicitor General
Nixon, J. Bradford	York Mills	L	
Nixon, Hon Robert F.	Brant-Haldimand	L	Deputy Premier, Treasurer of Ontario, Minister of Economics
Oddie Munro, Lily	Hamilton Centre	L	
Offer, Hon Steven	Mississauga North	L	Solicitor General
O'Neil, Hon Hugh P.	Quinte	L	Minister of Mines, Minister of Culture and Communications

Name of member	Constituency	Party	Other responsibilities
O'Neill, Yvonne	Ottawa-Rideau	L	
Owen, Bruce	Simcoe Centre	L	
Patten, Hon Richard	Ottawa Centre	L	Minister of Correctional Services
Pelissero, Harry E.	Lincoln	L	
Peterson, Hon David R.	London Centre	L	Premier, President of the Council, Minister of Intergovernmental Affairs
Philip, Ed	Etobicoke-Rexdale	NDP	
Phillips, Hon Gerry	Scarborough-Agincourt	L	Minister of Labour
Poirier, Jean	Prescott and Russell	L	Deputy Speaker, Chair of the Committee of the Whole House
Pollock, Jim	Hastings-Peterborough	PC	
Polsinelli, Claudio	Yorkview	L	Parliamentary assistant to the Attorney General
Poole, Dianne	Eglinton	L	Parliamentary assistant to the Minister without Portfolio responsible for senior citizens' affairs
Pope, Alan W.	Cochrane South	PC	
Pouliot, Gilles	Lake Nipigon	NDP	
Rae, Bob	York South	NDP	Leader of the Official Opposition
Ramsay, Hon David	Timiskaming	L	Minister of Agriculture and Food
Ray, Michael C.	Windsor-Walkerville	L	
Reville, David	Riverdale	NDP	Chief whip
Reycraft, Douglas R.	Middlesex	L	Parliamentary assistant to the Treasurer and Minister of Economics
Riddell, Jack	Huron	L	Parliamentary assistant to the Minister of Natural Resources
Roberts, Marietta L. D.	Elgin	L	
Runciman, Robert W.	Leeds-Grenville	PC	
Ruprecht, Tony	Parkdale	L	Parliamentary assistant to the Minister of Community and Social Services
Scott, Hon Ian G.	St George-St David	L	Attorney General
Smith, David W.	Lambton	L	Parliamentary assistant to the Minister of Correctional Services
Smith, E. Joan	London South	L	Chief government whip
Sola, John	Mississauga East	L	
Sorbara, Hon Gregory S.	York Centre	L	Minister of Consumer and Commercial Relations
South, Larry	Frontenac-Addington	L	Parliamentary assistant to the Minister of Mines
Sterling, Norman W.	Carleton	PC	
Stoner, Norah	Durham West	L	Parliamentary assistant to the Minister of Colleges and Universities
Sullivan, Barbara	Halton Centre	L	
Sweeney, Hon John	Kitchener-Wilmot	L	Minister of Housing, Minister of Municipal Affairs
Tatham, Charlie	Oxford	L	
Velshi, Murad	Don Mills	L	
Villeneuve, Noble	Stormont, Dundas and Glengarry	PC	Chief whip
Ward, Hon Christopher C.	Wentworth North	L	Minister of Government Services, government House leader
Wildman, Bud	Algoma	NDP	
Wilson, Hon Mavis	Dufferin-Peel	L	Minister without Portfolio responsible for women's issues
Wiseman, Douglas J.	Lanark-Renfrew	PC	
Wong, Hon Robert C.	Fort York	L	Minister of Citizenship, minister responsible for the Ontario Human Rights Commission, minister responsible for multiculturalism, minister responsible for race relations
Wrye, Hon William	Windsor-Sandwich	L	Minister of Transportation
Vacant	Ottawa South		

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Members: Gilles Pouliot, E. Joan Smith and Noble Villeneuve

Clerk: Smirle Forsyth

CONTENTS

Thursday 28 June 1990

Second readings

Sioux Lookout District Health Centre Act, 1990,	
Bill Pr59	2035
Mr Miclash	2035
Agreed to	2035
Township of Plympton Act, 1990, Bill Pr65	2035
Mr D. W. Smith	2035
Agreed to	2035
Township of Front of Leeds and Landsdowne Act, 1990,	
Bill Pr68	2035
Mr Runciman	2035
Agreed to	2035
Human Resources Professionals Association of Ontario	
Act, 1990, Bill Pr70	2035
Mrs Cunningham	2035
Agreed to	2035
City of Mississauga Act, 1990, Bill Pr78	2035
Mrs Marland	2035
Agreed to	2035
Empire Club Foundation Act, 1990, Bill Pr87	2035
Mr Polsinelli	2035
Agreed to	2035
Town of Niagara-on-the-Lake Act, 1990, Bill Pr88	2035
Mr Dietsch	2035
Agreed to	2035
St George's Society of Toronto Act, 1990, Bill Pr90	2035
Mr Reville	2035
Agreed to	2035
City of Thunder Bay Act, 1990, Bill Pr92	2035
Mr Kozyra	2035
Agreed to	2035
Dinorwic Metis Corporation Act, 1990, Bill Pr93	2035
Mr Miclash	2035
Agreed to	2035
City of Kingston and Townships of Kingston, Pittsburg	
and Ernestown Act, 1990, Bill Pr97	2035
Mr Keyes	2035
Agreed to	2035

Third readings

Sioux Lookout District Health Centre Act, 1990,	
Bill Pr59	2035
Mr Miclash	2035
Agreed to	2035
Township of Plympton Act, 1990, Bill Pr65	2035
Mr D. W. Smith	2035
Agreed to	2035
Township of Front of Leeds and Landsdowne Act, 1990,	
Bill Pr68	2035
Mr Runciman	2035
Agreed to	2035
Human Resources Professionals Association of Ontario	
Act, 1990, Bill Pr70	2035
Mrs Cunningham	2035
Agreed to	2035

City of Mississauga Act, 1990, Bill Pr78	2035
Mrs Marland	2035
Agreed to	2035
Empire Club Foundation Act, 1990, Bill Pr87	2035
Mr Polsinelli	2035
Agreed to	2035
Town of Niagara-on-the-Lake Act, 1990, Bill Pr88	2035
Mr Dietsch	2035
Agreed to	2035
St George's Society of Toronto Act, 1990, Bill Pr90	2035
Mr Reville	2035
Agreed to	2035
City of Thunder Bay Act, 1990, Bill Pr92	2035
Mr Kozyra	2035
Agreed to	2035
Dinorwic Metis Corporation Act, 1990, Bill Pr93	2035
Mr Miclash	2035
Agreed to	2035
City of Kingston and Townships of Kingston, Pittsburg	
and Ernestown Act, 1990, Bill Pr97	2035
Mr Keyes	2035
Agreed to	2035

Second reading

Tobacco Tax Amendment Act, 1990, Bill 160	2035
Mr Mancini	2035
Mr Daigeler	2035
Mr Laughren	2036
Mr Villeneuve	2037
Mr Miller	2037
Mr Sterling	2037
Mr Tatham	2038
Agreed to	2039

Report by committee

Standing committee on the Ombudsman	2039
Mr Velshi	
Agreed to	2040

Committee of the whole House

Ontario Home Ownership Savings Plan Amendment Act,	
1988, Bill 105	2040
Mr Daigeler	2040
Mr Sterling	2040
Mr Laughren	2041
Reported	2042
Liquor Licence Act, 1990, Bill 175	2042
Mr Sorbara	2042
Ms Bryden	2042
Reported	2047

Members' statements

Automotive industry	2048
Mr Kormos	
Civil service	2048
Mr Cousens	
Morning Glory elementary school	2048
Mr Ballinger	
Municipal finances	2048
Mrs Grier	
Great Lakes water quality	2049
Mr Runciman	
Plant closure	2049
Mr Owen	
Social services	2049
Mr Allen	
Layoffs	2049
Mr McLean	

Statement by the ministry

Child care	2057
Mr Beer	

Responses

Child care	2058
Mr Allen	
Mrs Cunningham	

Oral questions

Social assistance	2059
Mr B. Rae	
Mr Beer	
Employment adjustment	2060
Mr B. Rae	
Mr Peterson	
Automobile insurance	2061
Mr Brandt	
Mr Elston	
Child and family services	2062
Mrs Cunningham	
Mr Beer	
Tire tax	2062
Mrs Gier	
Mr Peterson	
Food banks	2063
Mr Jackson	
Mr Peterson	
Greater Toronto area	2063
Mr Faubert	
Mr Sweeney	
Nuclear power	2064
Mr Charlton	
Mr Peterson	
Teachers' superannuation	2064
Mr Jackson	
Mr Peterson	
Rape crisis centres	2064
Mr D. R Cooke	
Mr Offer	

Labour dispute	2065
Mr Mackenzie	
Mr Phillips	
Affordable housing	2065
Mr Brandt	
Mr Sweeney	
Social assistance	2066
Mr Callahan	
Mr Beer	

Motion

Committee substitutions	2067
Mr Ward	
Agreed to	2067

Petitions

Long-term care	2067
Mr Reville	
Security in premises used by public	2067
Mr Sterling	
French-language school board	2067
Mr Daigeler	
Northern health travel grants	2067
Mr Hampton	
Support and custody orders enforcement	2067
Mr Hampton	

Committee of the whole House

Police Services Act, 1990, Bill 107	2068
Mr Offer	2068
Mr Sterling	2068
Mr Philip	2068
Mr Kormos	2070
Reported	2079

Third readings

Legal Profession Statute Law Amendment Act, 1989,	
Bill 45	2079
Mr Scott	2079
Agreed to	2079
Law Society Amendment Act (Insurance), 1990,	
Bill 164	2079
Mr Scott	2079
Agreed to	2079
Vital Statistics Amendment Act, 1990, Bill 150	2079
Mr Haggerty	2079
Agreed to	2079
Construction Lien Amendment Act, 1990, Bill 215	2079
Mr Scott	2079
Agreed to	2079
Environmental Protection Statute Law Amendment Act,	
1990, Bill 220	2079
Mr Adams	2079
Agreed to	2079
Landlord and Tenant Amendment Act (Animals),	
Bill 225	2079
Mr Scott	2079
Agreed to	2079

Ontario Home Ownership Savings Plan Amendment Act, 1988, Bill 105	2079	Retirement of Editor of Debates	2052
Mr Daigeler	2079	Mr Fulton	
Agreed to	2079	Mr B. Rae	
Tobacco Tax Amendment Act, 1990, Bill 160	2079	Mr Sterling	
Mr Mancini	2079	Mr Brandt	
Agreed to	2079	Resignation of member for Simcoe West	2053
Liquor Licence Act, 1990, Bill 175	2079	Mr Brandt	
Mr Sorbara	2079	Mr Laughren	
Agreed to	2079	Mr Black	
		Mr McCague	
Committee of the whole House		Visitor	2054
		The Speaker	
Police Services Act, 1990, Bill 107	2079	Trudy Niezen	2054
Mr Kormos	2080	Mr Poirier	
Mr Philip	2081	Mr D. S. Cooke	
Mr Offer	2081	Mr Brandt	
Mr Sterling	2083	Alex McFedries	2055
Agreed to	2083	Mr Ward	
		Mr D. S. Cooke	
Third reading		Mr Sterling	
		Mr Peterson	
Police Services Act, 1990, Bill 107	2084	Canada Day	2056
Mr Offer	2084	Mr Peterson	
Agreed to	2084	Mr B. Rae	
		Mrs Cunningham	
Royal assent		Answers to questions in Orders and Notices	2067
		Mr Sterling	
His Honour the Lieutenant Governor	2084	Committee business	2083
		Mr Ward	
Other business		Agreed to	2083
		Committee sittings	2083
Resignation of members	2049	Mr Ward	
Mr Tatham		Agreed to	2084
Visitors	2050	Committee reports	2084
Mr J. M. Johnston		Mr Ward	
Resignation of member for Beaches-Woodbine and member for Wellington	2050	Agreed to	2084
Mr B. Rae		Legislative building staff	2085
Mr Cousens		Adjournment	2085
Mr Ward			
Ms Bryden		Lists of members	
Mr J. M. Johnston		Members and their responsibilities	2086
		Committees of the Legislative Assembly	2089

TABLE DES MATIÈRES

Le jeudi 28 juin 1990

Divers	Pétition
Fête du Canada	2056
M. Peterson	
Déclaration ministérielle	
Garde d'enfants	2057
M. Beer	
	Conseil scolaire de langue française
	M. Daigeler

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